AN

APPEAL

TO THE

JUSTICE AND INTERESTS

OF THE PEOPLE OF

GREAT BRITAIN,

IN THE PRESENT DISPUTES WITH

AMERICA.

BY AN OLD MEMBER OF PARLIAMENT.

The FOURTH EDITION, Corrected.

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IT is againſt the franchiſe of the land for freemen to be taxed, but by their own conſent. *Sir Edward Coke.*

RESOLVED—That the ancient and undoubted rights of every freemen are—that he hath a full and abſolute property in his goods and eſtate, and cannot be taxed but by common conſent.

Comm. Jour. N. 1. p. 878.

A TAX granted by the parliament of England ſhall not bind thoſe of Ireland, becauſe they are not ſummoned to our parliament.

Opinion of the judges of England, 20th of Henry VI.

IRELAND hath a parliament of its own, and maketh and altereth laws, and our ſtatutes do not bind them, becauſe they do not ſend knights to our parliament.

Opinion of the judges of England, 2d of Rich. III.

YOU have no right to tax America—I rejoice that America has reſiſted—two millions of our fellow ſubjects, ſo loſt to every ſenſe of virtue as tamely to give up their liberties, would be fit inſtruments to impoſe chains upon the reſt. *Lord Chatham.*

MY reſearches have more and more convinced me that you have no right to tax America.—I will maintain it with my laſt breath—taxation and repreſentation are inſeparable. *Lord Camden.*

AN APPEAL.

A State of contention between Great Britain and America, is not only diſagreeable but dangerous. We have every influence of intereſt and affection to attach us to each other, and make us wiſh to preſerve the union indiſſoluble. The ſame laws, the ſame religion, the ſame conſtitution, the ſame feelings, ſentiments and habits, are a common bleſſing and a common cauſe. We have theſe general benefits to defend againſt the reſt of the world, which is hoſtile to all, or to the greater part of them.

With ties ſo ſtrong to bind us to each other, is it not ſtrange, is it not deplorable, that we ſhould differ? Do they who talk of chaſtiſing our colonies, and reducing them to obedience, conſider how much we hazard when we diſſolve theſe ties? What are we to ſubſtitute in their place?—Force and fear—which Tacitus wiſely tells us, are *infirma vincula, quæ ubi removeris, qui timere deſierint, odiſſe incipient*—"inſecure "reſtraints, and always ſucceeded by inveterate hatred." When theſe conſequences follow from the coercive meaſures we are now purſuing, will the counſellors, who have impelled us to them, by repreſentations not, I am ſure, very fair, defend us from their fatal effects?

It is from experience only that nations learn wiſdom. But unhappily ſometimes the injury of the experiment is irretrievable. We have too much reaſon, I think, to apprehend that this will be the event of our preſent conduct. The courſe of the laſt war gave us proof of the ſtrength and ſucceſs which ariſes from the cordial attachment of our colonies; and, in all human probability, the next war will convince us of the feebleneſs which flows from their diſaffection. I hope to prove, inconteſtibly, that they aided us during the laſt war with a degree of zeal and efficacy which we can never again expect, at leaſt unleſs our language and conduct be totally reverſed. The war found us united; it was conducted glorioufly upon the ſtrength of that union; and left us in perfect harmony. Unhappy were the councils which diſturbed that harmony; unhappy was the idea of taxation, which, without being productive of any one of the benefits expected from it, has given birth to a thouſand calamities which were not foreſeen. From the æra of this innovation we are to date all the diſturbances which have ſhaken the whole empire; and which, if we do not treat them with more wiſdom, muſt inevitably end in the diſſolution of all American dependence on the parent ſtate.

In 1755 the Lords pronounced the Americans to be "a great body "of brave and faithful ſubjects *". Let this be compared with the language of their laſt addreſs, and it will ſhew the happy effect of our late proceedings.

In conſidering this ſubject, two very material queſtions immediately preſent themſelves.

* See their addreſs, Nov. 13, 1755.

Whether we have a right to tax the colonies? and, *Whether it be expedient to exercise that right?*

If a dispassionate examination should shew, that both or either of these must be answered in the negative; it will prove, that our present measures are not dictated by political wisdom.

In order to determine whether we have a right to tax the colonies, we must consider the nature of taxation—in whom the right of granting money resides—and from whence that right arises.

Taxation, constitutionally speaking, is the giving and granting the property of the people, by themselves, or by persons authorized by them, who are called their delegates or representatives. From hence it follows, that the right of imposing taxes resides originally in the people, and then in the representative body; and that it arises from the delegation of the people.

The very idea of property involves in it an exclusive right of giving it by the immediate or intermediate consent of the possessor. For as Mr. Locke says, What property can I have in that which another may take away at his pleasure? It is therefore a fundamental principle in our constitution, and was, until the reign of Henry the Sixth, the invariable practice of it, that the property of the people, not one man excepted, could not be granted but with his own consent, given by himself or his representative chosen by himself. It was upon this principle that, until that reign, every man in the kingdom gave his vote, or had a right to give his vote, for the election of a representative, on whom that power was devolved. The seventh of Henry the Fourth, made upon complaint of this right having been disturbed, ordains, that all the people shall elect indifferently. Their being residents in the country is the only qualification required. It was not until the eighth year of Henry the Sixth, that the possession of forty shillings *per annum*, in any part of the kingdom, was made necessary to give a right of voting; which qualification was, in the tenth year of the same reign, restricted to freehold in the county. It is plain from this, that the writers who have controverted Mr Locke's position, that, upon the principles of the constitution, "the supreme power cannot take "away any man's property without his consent," were unacquainted as well with the principles as the practice of the constitution, or artfully misrepresented them. This view of our constitution shews also the propriety of that emphatical and brilliant expression of Lord Camden, that—"there was not a blade of grass which, when taxed, was not taxed by the consent of the proprietor."

That taxation and representation are constitutionally inseparable, and that it was the fixed principle of government, that the property of the people could be given by their consent only, signified by their representatives, chosen by themselves; appears beyond controversy, both from general considerations, and from a variety of particular proofs, arising from ancient and undoubted records.

The general considerations which support these positions are—That it is an eternal law of nature, so incident to and inseparable from the very idea of property, that no property can exist without it. "Whatever is a man's own, no other person can have a right to take from "him,

" him, without his conſent, expreſſed by himſelf or his repreſentative. " Whoever attempts to do it, attempts an injury; whoever does it " commits a robbery—he throws down and deſtroys the diſtinction " between liberty and ſlavery." Nor is this the diſcovery of Mr Locke, or the peculiar proviſion of the Engliſh conſtitution. It was long ſince ſet forth by Cicero, in theſe words, *Hæc ſunt fundamenta firmiſſima libertatis, ſui quemque juris retinendi ac demittendi eſſe arbitrium.* " The power of giving and withholding is the ſtrongeſt foundation of liberty." It pervaded every feudal conſtitution in Europe, and was exerciſed with as much preciſion and jealouſy by the States of France and the Cortes of Spain, as by the Engliſh Houſe of Commons. *Auxilia*, ſays Bracton, *ſiunt de gratia, et non de jure; cum dependeant ex gratia tenentium, et non ad voluntatem dominorum**. " Aids are of favour, not of " right, ſince they flow from the good-will of the tenant, not from " the pleaſure of the lord." Dr Robertſon tells us, " When any ex- " traordinary aid was granted by freemen to their ſovereign, it was " purely voluntary †." And again, " It was a fundamental principle " in the feudal ſyſtem of policy, that no freeman could be taxed unleſs " by his own conſent ‡." Every one knows, from the moſt authentic accounts, that in the German conſtitution, from its earlieſt date, all the people had a right to be preſent in their aſſemblies, and aſſent to what bound them: *De minoribus principes conſultant; de majoribus omnes* §. " In ordinary affairs the chief decided; in extraordinary ones, " the whole community." Hotoman informs us, that in France it was not lawful to debate on any thing concerning the commonwealth, but in the general council of the State ‖. So tenacious were they in Spain of this general conſent, that in the Cortes it was neceſſary every member ſhould give his aſſent before the act was binding **. And I am well informed, that at this very day, no taxes can be raiſed upon the free cities of Bruſſels, Antwerp, &c. even by the Empreſs Queen, without the conſent of every individual citizen who is preſent in the aſſembly.

To the ſacred, eternal, and univerſal right of giving property, even a tyrant of the north has been obliged to bear his teſtimony. We have heard the preſent king of Sweden publicly declare to his people—that to be taxed by others was repugnant to the moſt precious part of their liberty, which conſiſts in taxing themſelves. " To this right," ſays he, " of the nation to tax itſelf, I would have the greateſt attention " paid, becauſe I am engaged by oath to let my ſubjects enjoy their " liberties and privileges, without any reſtriction."

From theſe external proofs and illuſtrations of the doctrine, that the conſent of the owner is eſſential to the juſt diſpoſal of property, ſo that the ſupreme power cannot, and never could, in any free ſtate, take away any man's property without his conſent; we come now to demonſtrate it from the practice of our own conſtitution.

It is certain, that originally, and before the Conqueſt, the right of being preſent in the great council of the nation, in which grants, if any, were made, belonged to every freeman in the kingdom. In an ancient

* L. 2, c. 19. † Hiſt. Charles V. p. 360. ‡ Ib. p. 36. § Tacitus
‖ Franco-Gallia, c. xi. ** Marteil Cort. de Arrag.

ancient record, quoted by my lord Coke, ſo far back as the reign of Canute, in the year 1030, the parliament is ſaid to have conſiſted not only of great men, but—*quamplurimis gregariis militibus, ac cum populi multitudine copioſa; ac omnibus adhuc in eodem parliamento* perſonaliter *exiſtentibus votis regis* unanimiter conſentientibus, *præceptum et decretum fuit**. "A great many common tenants, and a multitude of the "people; it was ordered and decreed by all of them perſonally pre- "ſent and unanimouſly conſenting to the king's deſire."

The ſame recognition of the right of aſſent in every individual, to the diſpoſal of his property, we find thus declared in *Magna Charta*: —"And for this our gift and grant of theſe liberties, and of other "contained in our charter of liberties of our foreſt, the archbiſhops, "biſhops, abbots, priors, earls, barons, knights, freeholders, and "*other our ſubjects*, have given unto us the fifteenth part of all their "moveables †." It was not the ſupreme power, whether you mean by that the King, or the Parliament, as it is now conſtituted, nor the repreſentatives of the people in parliament aſſembled, but the people themſelves, every one having a right to be preſent and conſent to the grant or diſpoſal of his property.

Upon the ſame ground, the king, in the ſtatute *de tallagio non concedendo*, declares, "that, no tallage or aid ſhall be taken or levied, "by us or our heirs, in our realm, without the good-will and aſſent of "the archbiſhops, biſhops, earls, barons, knights, burgeſſes, and "*other freemen of the land* ‡." And the more expreſsly to ſhew how neceſſary the conſent of every individual was deemed, to the gifts which affected his property, the ſame ſtatute ſays, "No officer of ours, or "of our heirs, ſhall take corn, leather, cattle, or any other goods of "*any manner of perſon*, without the good-will and aſſent of the *party to* "*whom the goods belong*."

Edward the Firſt, or the Engliſh Juſtinian, was the wiſeſt and moſt magnanimous of our princes; and as he had too much juſtice to refuſe what he knew to be the inherent right of his people, ſo he had too much wiſdom and courage to be deluded or compelled into a conceſſion which was not ſtrictly conſtitutional. This ſtatute is therefore deſervedly held in great veneration, and is of high authority. M. de Lolme, a very ſagacious reſearcher into the principles of our conſtitution, calls it, "an important ſtatute, which, in conjunction with "*Magna Charta*, forms the baſis of the Engliſh conſtitution. If it is "from the latter," ſays he, "that the Engliſh ought to date the ori- "gin of their liberty, it is to the former they owe its ſecurity. If the "Great Charter is the rampart that defends the liberties of every in- "dividual, it is this ſtatute that protects the Grand Charter itſelf; "and by which the people were enabled to make the law ſuperior to "the will of the crown §."

In the courſe of time, the acting by deputation, which was adopted for convenience at firſt, became a ſettled practice. Still, however, no freeman, of whatever denomination, was denied the right of voting for him who was to ſignify his aſſent, or be his repreſentative in parliament, till the reign of Henry the Sixth, when that right was re- ſtricted

* Preſ. to the 9th Rep. † C. 37. Art. 4. ‡ 34 Edw. I. c. 1, 2. § Conſtit. de l'Angleterre p. 28.

ſtricted to perſons having a freehold of forty ſhillings annual value *. This alteration in the ſyſtem introduced two kinds of repreſentation; real and virtual. They who retained the right of voting were *really* repreſented; they who did not vote, but yet were ſhielded and ſecured in their portion of property by the electors and elected bearing their proportion in the grants made, were *virtually* repreſented. Still, however, as the real electors, though greatly circumſcribed in number, owned far the greater part of the lay property of the kingdom, the original idea of the grants being made by common conſent continued, and governed all the parliamentary forms in voting ſupplies. The commons are ſaid to give and grant, the king thanks his good people for their benevolence, and the lords are not permitted to originate, alter, or amend a money bill. There is but one inſtance within my knowledge, in which the houſe of lords were ſuffered to violate this rule. This was in the time of Richard the Second, wherein the houſe of commons are ſaid to have aſſented to an impoſition which originated in the upper houſe. It is true, that on the patent roll, 3 Edward I. and in a variety of other inſtances, they gave ſeparately, and of their own property; but theſe are additional proofs how prevalent the idea was, that property could be given only and abſolutely by thoſe who owned it.

Lord Clarendon ſays, the origin of ſupplies in the commons had never been diſputed in the worſt of times, and that the lords acknowledged it in 1640 †. We are told in the Caſe Stated ‡, a work known to be written under the inſpection of the lords—that the lords ſay, "as "to what concerns their rights and privileges, they pretend not to "be the beginners of any charge, to be laid on the eſtates of the ſub-"ject, nor to increaſe or augment any that is already laid by the houſe "of commons. This they conceive to be againſt the intendment of "the law, 9 H. 4. and the practice of parliaments ever ſince."

Is it poſſible that any one can, conſiſtent with common ſenſe, deduce the ſole and incommunicable poſſeſſion of this right of giving and granting by the houſe of commons, from any other origin than that of their repreſenting the people? This proof, therefore, would be alone ſufficient to ſhew, that both in the principles and practice of the conſtitution, repreſentation and taxation are inſeparable, and that it is not the three eſtates, but thoſe whom the people elect, who repreſent them.

But this poſition is ſtill farther ſupported by the conſtant practice of the clergy in convocation. The clergy were ſubject to the general controul and ſuperintending power of the ſupreme legiſlature; but parliament never attempted to tax them, while they were repreſented in convocation and not in the houſe of commons. Whenever they contributed to the ſupport of government, they did it by their own conſent, ſignified in their convocation, in which my lord Coke ſays, they were all by repreſentation, or in perſon preſent ‖. It appears by the roll of the 4 Rec. 2. No. 13, 14. that when the houſe of commons offered

* It may be well queſtioned (according to the principles of Mr Locke) whether parliament had any juſt right to take away from its conſtituents ſo eſſential a privilege.

† V 1. p. 134. ‡ P. 113. ‖ 7 Co. 73.

fered to grant an aid, if the clergy would pay one third, as they poſſeſſed a third of the realm, the clergy anſwered—They were not to grant aids by parliament, and therefore willed the commons to do their duty, and they would do theirs. This is in effect the language of America, yet it is idly called a ſtrange *new-fangled* doctrine. A doctrine as old as the conſtitution itſelf, interwoven in its very ſtamina, drawn from the firſt principles of natural juſtice, and eſſential to the exiſtence of property.

From all theſe general views of the conſtitution, both in its principles and practice, it appears to be one uniform and inviolable rule, that *property could not be given but by conſent*. Whether that conſent was ſignified in perſon, or by repreſentation, was a matter merely of convenience. So much ſo indeed, that every one knows the repreſentatives were formerly paid for their trouble in attending upon the buſineſs of the whole. The act of Henry the Sixth, which preſcribed a qualification for electors, regulated the exerciſe, but did not aboliſh the right; for there is a manifeſt and eternal difference between regulating the mode in which a right may be enjoyed, and eſtabliſhing a principle which entirely annihilates that right. To eſtabliſh the power of the Britiſh parliament to give and grant the property of the people of America, is moſt clearly to annihilate their right of conſenting to the diſpoſal of that property, in whole or in part, in perſon or by repreſentation.

How far this is conſiſtent with the exiſtence of property, with the principles and practice of all free conſtitutions, and eſpecially of our own, I have already furniſhed the reader with the general means of judging. I ſhall now proceed to ſhew, that the ſame principle pervades and governs the particular inſtances, in which it was neceſſary that *diſtinct parts* of the empire ſhould contribute to the ſupport of government, in doing which their own conſent was always deemed indiſpenſable.

In the tenth year of Edward the Firſt, this prince being under a neceſſity of demanding ſupplies, applied to his ſubjects in Ireland, ſeparately to ſollicit a loan to enable him to carry on the war againſt Wales*. Unſettled as the ſtate of Ireland then was, the right of granting their own property was conſidered as ſo eſſential to an Engliſh ſubject, that the application was not made to the parliament at Weſtminſter, but to the people themſelves, whoſe money was to be given.

When the ſame prince was again in diſtreſs, he applied firſt to the clergy of Ireland, for an additional fifteenth of the ſpiritualties, and they peremptorily refuſed to comply with the requiſition. The king reſpected the right of refuſing, though the refuſal itſelf was ſo grievous a diſappointment to him. He therefore neither called in the abſolute power of his Engliſh parliament, nor of his army, to enforce the requiſition, but applied to the laity of Ireland, from whom he received more ſatisfaction. Dr Leland tells us, that "after ſome altercation and delay, they granted him a fifteenth of their effects†." Thus this magnanimous prince, well ſatisfied that it was the inherent right of an Engliſh ſubject, not to have his property taken from him, but by

* Rym. ex. Roll. Wall. 10 Ed. I. Leland, v. 1. p. 248. † Leland, p. 251.

by his own conſent, given by himſelf, or by his repreſentative choſen by himſelf, whether that ſubject was in England or Ireland, he applied to him or to his repreſentative for the ſupplies which were to ariſe out of his property.

But we find the inſeparable connection of repreſentation and taxation ſtill more irrefragably proved, in the reign of Edward the Third. I will ſtate the tranſaction in the words of Dr. Leland. It is diſtinguiſhed and deciſive.

" The parliament of England grew uneaſy under the burthen of " ſupporting the king's Iriſh dominions; they remonſtrated; they " ſolicited, that ſtrict enquiry ſhould be made into the deficiencies of " the royal revenues in this realm. The king was no leſs impatient " to find any part of the ſupplies deſtined to his military ſervice, di- " verted to a purpoſe which he deemed of much leſs moment, the ſup- " port of a diſordered government in Ireland. An agent, called Ni- " cholas Dagworth, was diſpatched into this country: his inſtruc- " tions were to repreſent the neeeſſities of the crown, and the grie- " vous deficiencies of the Iriſh revenue; to convince the king's mi- " niſters of the neceſſity of exerting themſelves for the intereſt of their " royal maſter. It was particularly directed, that an Iriſh parliament " ſhould be convened without delay, for the purpoſe of granting ſuch " a liberal ſubſidy, as ſhould provide not only for the exigences of " their own ſtate, but for the aſſiſtance of their ſovereign in his fo- " reign wars. The parliament was aſſembled; *they pleaded the po- " verty of the realm, and refuſed the ſupplies.* Edward was provoked; " he iſſued his writs of ſummons both to the clergy and laity. The " biſhops were commanded to chuſe two of the clergy in each dio- " ceſe; the commons to chuſe two laymen in each county, to re- " preſent the lords and commons in that county; the cities and bo- " roughs in like manner, each to elect two citizens and burgeſſes. " The aſſembly was directed to repair to the king in England, to " treat, conſult, and agree with him and his council, as well on the " government of the land of Ireland, as the aid and ſupport of the " king's war."

We have the anſwers of the archbiſhop of Armagh, and of the county of Dublin, to this ſummons diſtinctly recorded. " We are " not bound, ſaid the prelate, agreeable to the liberties, privileges, " rights, laws and cuſtoms of the church and land of Ireland, to " elect any of our clergy, and to ſend them to any part of England, " for the purpoſe of holding parliaments or councils in England; yet " on account of our reverence to our lord the king of England, and " the now imminent neceſſity of the land aforeſaid, ſaving to us, and " to the lords and commons of the ſaid land, all rights, privileges, li- " berties, laws and cuſtoms before mentioned, we have elected re- " preſentatives to repair to the king in England, to treat and conſult " with him and his council; except, however, that we do by no " means grant to our ſaid repreſentatives any power of aſſenting to " any burthens or ſubſidies to be impoſed on us or our clergy, to " which we cannot yield, by reaſon of our poverty and daily expence " in defending the land againſt the Iriſh enemy.

" In like manner we find the county of Dublin at firſt elected their " repreſentatives, without power or authority to conſent to the impo-

" ſition of any burdens. The king complained of the election as in-
" ſufficient and irregular, and the ſheriff was directed to make another
" return, in preſence of the treaſurer and chief juſtice of the King's-
" bench. Difficulties were ſtarted and delays contrived; at length
" the nobles and commons unanimouſly and with one voice de-
" clare, that, according to the rights, privileges, liberties, laws and
" cuſtoms of the land of Ireland, enjoyed from the time of the con-
" queſt of the ſaid land, they are not bound to ſend any perſons from
" the land of Ireland to the parliament or council of our lord the
" king in England, to treat, conſult, or agree with our lord the
" king in England, as the writ requires. Nc withſtanding, on ac-
" count of their reverence, and the neceſſity and preſent diſtreſs of the
" ſaid land, they have elected repreſentatives to repair to the king,
" and to treat and conſult with him and his council, reſerving to
" themſelves the power of yielding or agreeing to any ſubſidies. At
" the ſame time proteſting, that their preſent compliance is not here-
" after to be taken in prejudice to the rights, privileges, laws and cuſ-
" toms, which the lords and commons, from the time of the con-
" queſt of the land of Ireland, have enjoyed.

" What was the reſult of this notable controverſy between Edward
" and his ſubjects of Ireland, or whether or how far the king's ne-
" ceſſities were ſupplied, we are not diſtinctly informed. It only ap-
" pears, that the Iriſh repreſentatives ſat at Weſtminſter, and that
" their wages were levied on the dioceſes, counties and boroughs,
" which had choſen them *."

The unqueſtionable concluſion from this record is, that to give and grant the property of Engliſh ſubjects, in an aſſembly wherein they were not preſent in perſon or by repreſentation, was deemed ſo unconſtitutional, that no neceſſity could prompt or juſtify it. The parliament at Weſtminſter did not conſider this doctrine as repugnant to their rights, or trenching upon their authority; though they were by no means diſpoſed to yield any of their privileges to the crown, or permit an illegal exertion of the prerogative. This record is alſo a proof that the ſole right of giving was ſo inherent in the owner of property, that the people at large might delegate it in whole or in part; might reſtrain it entirely, or reſerve to themſelves the controul of conſenting to the grant of their repreſentatives, to give its final efficacy. It appears too, from the writs iſſued upon that occaſion, that every perſon concerned, without any farther qualification in the conduct of the repreſentatives, was to give his voice in electing them. The words of the writ are, *Archiepiſcopis, epiſcopis, vice-comitibus, ſeneſcallis, majoribus, ſuperioribus & præpoſitis, ac* omnibus aliis ejuſdem terræ quorum intereſt, *ad electionem hujuſmodi duarum perſonarum, in Angliam in forma prædicta tranſmittendarum, faciendam* †. " Archbiſhops, biſhops, ſheriffs, ſeneſchals, elders, ſuperiors,
" and officers, and *to all others of the ſame land whom it concerns*, to elect
" two perſons to be ſent into England as aforeſaid."

In tracing the hiſtory of the Iriſh parliaments, we find they not only knew their right of granting money, but how inſtrumental

* Ibid. p. 327. † Appendix's to Leland hiſt. p. 365.

mental it was in obtaining a redreſs of grievances. In the reign of Henry the Fifth, they accompanied the grant with a repreſentation of grievances*. In the year 1585 the ordinary ſubſidy bill was rejected by the commons of Ireland; the reaſon appears to have been a complaint of grievances, and an apprehenſion of more, eſpecially of oppreſſive and extraordinary taxation †. Queen Elizabeth, during whoſe reign this happened, had too much ſpirit to have acquieſced in this refuſal, could ſhe or any one about her have conceived that the intervention of her Engliſh parliament might grant the ſubſidy out of the property of the people of Ireland, without the moſt flagrant violation of their conſtitutional rights. Neither is it probable that the Iriſh commons would have hazarded ſuch a meaſure of oppoſition, had they imagined themſelves liable to be taxed in the Engliſh parliament, and thereby deprived of this means of enforcing a redreſs of grievances. In the reign of James the Firſt, we find them reſtored to good humour by conciliatory meaſures; and then they granted a liberal ſubſidy with ſo much alacrity and zeal, that the king returned them thanks, in a flattering letter addreſſed to the Lord Lieutenant ‡. Charles the Firſt, and his favourite Wentworth, tried every art to perſuade them to make liberal and permanent grants; the threat of interpoſing the king's prerogative was added. Under the influence of promiſes and fears, the commons made a grant of four entire ſubſidies ‖. Neither the king nor his deputy were ſincere; the graces they promiſed were not granted; the commons therefore contrived a method of fruſtrating the collection of the ſubſidy, and the civil wars which ſoon followed put an end to all further requiſitions.

I have been more particular in ſtating theſe facts with relation to Ireland, becauſe it is impoſſible to find a caſe more exactly ſimilar to that of America. They were both conquered countries, peopled by Engliſh ſubjects. Yet in all the agitation of neceſſity and paſſion, and the various expedients it produced, that of impoſing taxes upon Ireland in the Engliſh parliament was never attempted.

There are however ſome differences in favour of America. In the former, the conquered people and the Engliſh were in ſome meaſure intermixed; in the latter, they were and ſtill continue totally diſtinct. The Engliſh ſubjects who ſettled in Ireland carried with them their rights, not expreſſed but latent; whereas thoſe of the American ſettlers were confirmed by charters. I am far from thinking that charters create rights; theſe are inherent in and unalienable from the perſon of the ſubject. Allegiance and protection in theſe rights are a mutual compact between the prince and the people. As emigration does not diſſolve allegiance, neither can it diveſt rights: they involve each other, and are inſeparable. But ſo ſolemn a recognition and confirmation of them, as charters under the great ſeal of a kingdom, renders the violation of them ſtill more conſpicuous and criminal. From the hiſtory of Ireland we learn another difference, which is, that taxes were levied in England to defend and protect that country for ſome time after its ſettlement; whereas all the old colonies in America were ſettled, and the wars carried on with the natives, ſolely at the ex-

* Leland, v. 2. p. 13. † Ibid. v. 2. p. 296. ‡ Ibid. p. 457. ‖ Iriſh Journ. 1640.

pence of the ſettlers themſelves; this country bearing none of the burthen, but reaping infinite benefits from the ſettlement. Canada, Florida, and Nova Scotia, are exceptions to this; but they are acquiſitions obtained from France and Spain, which belong therefore to this country, and will ſoon repay with intereſt the ſupplies which have been voted for them.

As it was therefore moſt clearly conſidered, that Engliſh ſubjects emigrating to and ſettling in Ireland, though a conquered country, were not liable to be taxed by the Engliſh parliament, it ſeems ſtrange to contend that the ſame ſubjects ſettling in America were liable to ſuch taxation. The ſupreme power of this parliament has been always aſſerted and frequently exerciſed over Ireland: the right of giving and granting their money for the purpoſes of a revenue, never. Who is it that can point out a difference adequate to ſo great a diminuition of Engliſh liberty, in the perſon of him who emigrates to America, as that he ſhall not only be ſubject to the ſupreme power of the Britiſh parliament, but to be taxed where he is not repreſented?

Now it is not only impoſſible, I conceive, to give any plauſible reaſon for this diſtinction, but it is clear that no ſuch idea was ever ſeriouſly entertained till the year 1764. What can be a more deciſive proof of this, than that the people of America have always choſen repreſentatives of their own, and that the crown has conſtantly applied to thoſe repreſentatives for the ſupplies which were wanting? If the ſettled, notorious, invariable practice of government, be not evidence of the conſtitution, from whence are we to learn it? If it had not been conſiſtent with the conſtitution, and eſſential to the free ſtate of an Engliſh ſubject, that he ſhould chuſe repreſentatives who only ſhould impoſe taxes upon him, how did it happen that both in Ireland and America our coloniſts, without any ſpecial law to direct it, from their earlieſt infancy choſe ſuch repreſentatives, who have always exerciſed that authority? Had this been illegal, ſurely the crown would not have encouraged it, by conſtantly making requiſitions thro' its governors, and giving aſſent to laws, impoſing taxes by the authority of provincial aſſemblies; nor would parliament have permitted a practice, which makes thoſe aſſemblies coequal with themſelves. It is, I apprehend, moſt undeniable, that either parliament has no right to impoſe taxes upon the people of Ireland and America, or they have the ſole right; for nothing can be ſo abſurd as to ſuppoſe a people ſubject to two taxing powers, not communicating with each other, not knowing what each other are doing; in conſequence of which the people might be burthened with a double tax upon the ſame thing, ſo as to be productive of perpetual confuſion and diſtreſs. This would plainly be ſuch an inconſiſtency in politics, as would render government at once ridiculous and oppreſſive. The aſſertion therefore at this day, of the right of parliament to impoſe taxes upon Ireland and America, involves in it the higheſt criminal charge againſt all thoſe who have for centuries been active or acquieſcing in the impoſition of taxes upon the people of thoſe countries, which, according to the modern doctrine, the authority of parliament only could impoſe. If they juſtify by pleading that they were the repreſentatives of the people

ple whoſe money they granted, the admiſſion of that plea will defeat the pretenſions of parliament, who do not repreſent them.

There is a ſolemn reſolution of the houſe of commons, that no tallage, loan, benevolence, or other like charge, ought to be commanded or levied by the king or any of his miniſters, without common conſent of parliament. If it had been imagined that this reſolution concluded to all the ſubjects of the empire, if an idea had been entertained, that the conſent of parliament involved in it the conſent of Ireland and America, what miniſter would have ventured to adviſe the king to aſk money from the commons of Ireland and of America, and to have levied it upon the people by the authority of their legiſlators? Every miniſter who gave ſuch advice, would have hazarded his head; no parliament would have endured ſo open a violation of its rights and of the conſtitution. But no ſuch ſuppoſition ever entered into any man's head, and therefore it has been the eſtabliſhed and unimpeached practice, ever ſince the foundation of our dominion in thoſe countries, for the king to make requiſitions for ſupplies to their repreſentatives, and levy taxes by the authority of their legiſlatures. The inſtances of this are innumerable. It has been done by every miniſter, at all times, and in every reign. It has been repeatedly announced with regard to America, to the houſe of commons, in the king's meſſages, without queſtion or complaint. It remained for the new-fangled doctrine of this day to maintain that America was repreſented in parliament. A doctrine involving conſequences which they who broached it were far from foreſeeing. It would devote their deareſt connections to impeachment, and brand the memory of every miniſter who preceded, as a traitor to the conſtitution of his country.

That repreſentation and taxation were ever deemed inſeparable, the following copy of a petition from the county Palatine of Cheſter, in 1450, is an eminent proof.

" Moſt chriſtian, benigne, and gracious king, we your humble " ſubjects, and true, obaiſant, liege people, the abbots, priors, and " all the clergy, your barons, knights and eſquires, and all the " commonalty of your county Palatine of Cheſter, meekly prayen and " beſeechen your highneſs—Where the ſaid county is and hath been " a county Palatine, as well before the conqueſt of England as con- " tinually ſince, diſtinct and ſeparate from the crown of England; " within which county you and all your noble progenitors, ſithen it " came into our hands, have had your high courts of parliament— " and no poſſeſſioners or inheritors within the ſaid county be not " chargeable or liable, nor have not been bounden, charged, nor hurt " of their bodies, liberties, franchiſes, lands, goods, nor poſſeſſions " within the ſame county, but by ſuch laws as they have agreed " unto—and alſo they have no knights, citizens, na burgeſſes, na ever " had, of the ſaid county, to any parliament holden out of the ſaid " county, whereby they might in any way of reaſon be bounden— " which franchiſes, notwithſtanding there be your commiſſions di- " rected out to ſeveral commiſſioners of the ſame county, for the levy " of ſubſidy, granted by the commons of your land, in your parlia- " ment late begun at Weſtminſter and ended at Leiceſter, to make

" levy

" levy thereof within the ſaid county, after the form of their grant " thereof, contrary to the liberties, freedoms, and franchiſes of the " ſaid county and inheritance of the ſame, at all times before this " time uſed, that pleaſe your noble grace, of your noble favour, the premiſes graciouſly to conſider, and hereupon to diſcharge all ſuch commiſſioners of levy of the ſaid ſubſidy within the ſaid county, and of your ſpecial meer grace, ever to ſee, that there be " never act in this parliament, nor in any parliament hereafter holden " out of the ſaid county, made to the hurt of any of the inheritors or " inheritance of the ſaid county, of their bodies, liberties, franchiſes, " goods, lands, tenements or poſſeſſions, being within the ſaid county. " For if any ſuch act ſhould be made, it were clean contrary to the " liberties, freedoms, immunities, and franchiſes of the ſaid county, " &c. &c. &c."

ANSWER. " The king's will is, to the ſubſidy in this bill " contained—Foraſmuch as he is learned, that the beſeechers in the " ſame, their predeceſſors nor anceſtors, have not been charged afore " this time, by authority of any parliament holden out of the ſaid " county, of any quindiſma or ſubſidy, granted to him or any of his " progenitors in any ſuch parliament, that the beſeechers and each " of them be diſcharged of the paying and levy of the ſaid ſubſidy, " &c. &c. &c."

This petition and anſwer require no comment: they plainly recognize, that to impoſe taxes where the right of doing it is not delegated, was unuſual and unconſtitutional. The ſame principle operated in forming acts of the legiſlature for repreſentatives to be ſent from Wales and the county of Durham to the Engliſh parliament, and on the crown to iſſue writs to Calais for the ſame purpoſe when it became a part of the empire. It was invariably conceived, that the property of Engliſh ſubjects, connected with the general dominion, could not be granted but in an aſſembly where they were repreſented. Upon this principle our conſtitution manifeſtly ſtands; and to ſubvert the one, would in effect be to overthrow the other. The practice of every free ſtate, eſpecially of England; the practice of Ireland, Cheſter, Wales, and Calais, as members of the empire; the conſtitution of the church, and the very nature of property, all conſpire to ſhew, that this principle is the eſſential right of the ſubject in every part of the dominion. The right of property is the guardian of every other right, and to deprive a people of this, is in fact to deprive them of their liberty.

Let me now have leave to ſhew, that theſe have been invariably the ſentiments of thoſe great men, whom we allow to be the beſt acquainted with our conſtitution, and its firmeſt defenders.

" I will begin," ſays Sir Edward Coke, " with a noble record—It chears me to think of it, the 26th of Edward III. it is worthy to be written in letters of gold—" Loans againſt the will of the ſubject, " are againſt reaſon and the franchiſes of the land."—What a word is that *franchiſe!* The lord may tax his villain, high or low, but it is againſt the franchiſes of the land for *freemen to be taxed but by their own conſent.*

The

The reaſoning of Mr Locke is ſo clear and concluſive, and his authority ſo great, that it is not neceſſary to give the words of Sidney and Milton, whoſe opinions were preciſely the ſame.

" The ſupreme powers cannot," ſays Mr Locke, " take from any man any part of his property, without his own conſent. For the preſervation of property being the end of government, and that from which men enter into ſociety, it neceſſarily ſuppoſes and requires that the people ſhould have property, without which they muſt be ſuppoſed to have loſt that by entering into ſociety, which was the end for which they entered into it—too groſs an abſurdity for any man to own. Men, therefore, in ſociety, having property, they have ſuch a right to the goods which by the law of the community are theirs, that nobody hath a right to take their ſubſtance, or any part of it, without their own conſent. Without this they have no property at all: for I truly have no property in that which another can of right take from me, when he pleaſes, without my conſent. Hence, it is a miſtake to think that the ſupreme or legiſlative power of any commonwealth can do what it will, and diſpoſe of the eſtates of the ſubject arbitrarily, or take any part of them at pleaſure *."

It is impoſſible an expreſs advocate for America could ſpeak more explicitly to the point, and Mr Locke's argument is evidently founded on the ſtatute *de tallagio non concedendo*, which declares, that the goods of no manner of perſon ſhall be taken, without the good will and aſſent of the party to whom the goods belong; and upon a ſolemn reſolution of the houſe of commons, which maintains that the ancient and undoubted rights of every freeman are, that he hath a full and abſolute property in his goods and eſtate, and that no tallage, loan, benevolence, or other like charge, ought to be commanded or levied by the king, or any of his miniſters, without common conſent in parliament †. I have already ſhewn, that it never was the idea that the common conſent of America was given in the parliament of England; the term did not even include the clergy, who never were taxed in it till they were repreſented; and who told the commons, in the record I before cited, that they were not to be taxed there; to which the commons aſſented. The doctrine was held neither novel, inſolent, nor unconſtitutional; and the practice was uniform, notorious, and uncontroverted.

Taking up then the American queſtion on this conſtitutional ground: either the Americans are not freemen, or to impoſe taxes upon them in parliament, in which not one of them is repreſented and therefore cannot give his conſent, is to diveſt them of all property, and diſſolve the original compact upon which, according to Mr Locke, they entered into ſociety. Theſe conſiderations mark the propriety of what my Lord Camden urged with ſo much real eloquence in his unanſwerable ſpeech againſt the declaratory bill. " My poſition is this—I repeat it—I will maintain it to my laſt hour—Taxation and repreſentation are inſeparable. This poſition is founded on the laws of nature. It is more—it is itſelf an eternal law of nature. For whatever is a man's own, is abſolutely his own—no man has a right to take it from him without his conſent. Whoever attempts to do it, attempts

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* On government, fol. p. 197. † Com. Journ. V. 1. p. 878.

" an injury—whoever does it, commits a robbery; he throws down " and deſtroys the diſtinction between liberty and ſlavery."

Upon theſe principles our own conſtitution ſtands; upon theſe principles the American claim is founded. If they are fallacious, then were our own claims uſurpations upon the crown, and the glorious revolution itſelf was nothing more than a ſucceſsful rebellion; Hampden, Pym, Sidney and Ruſſel, than whom Greece with all her patriots, and Rome with all her heroes, produced no men who trod this mortal ſtage with more dignity, or quitted it with greater luſtre, were ſturdy traitors. Surely thoſe pretenſions to impoſe taxes in America, cannot be juſt, which ſo manifeſtly ſubvert, in principle, the foundation of our conſtitutional liberties!

That this claim and right of giving their property by their own conſent, ſignified by their repreſentatives, is not novel, but coeval with their exiſtence as colonies; will fully appear from the following proof.

In 1620 the colony of Virginia, then in its very infancy, choſe repreſentatives, by whom only they have been taxed from that time till 1764. It was not by charter that they eſtabliſhed and enjoyed this privilege, but by the operation of thoſe rights which are inherent in Engliſhmen, in whatever part of the dominion they inhabit. The ſame plan of government was purſued in every colony in America. In truth, an Engliſhman had no idea of any other conſtitution, and always conſidered it as the baſis of public liberty.

In 1625 king Charles the Firſt ſignified his intention of ſubſtituting a governor and council as the legiſlature in Virginia. Upon this a general diſquietude and diſſatisfaction prevailed through the colony. The aſſembly remonſtrated againſt it, as " an aſſault upon their rights and privileges." In conſequence of this, the privy council at laſt ſent them a letter, dated the 22d of July, 1634, containing the royal aſſurance and confirmation of their eſtates, trade, freedom and privileges. Upon the diſſolution of monarchy, the commonwealth diſpatched a governor with a ſquadron to take poſſeſſion of Virginia. He was permitted to land upon articles, of which the following is one, and deciſively ſhews what were their original ideas of their rights. *Article fourth*, " Virginia ſhall be free from all taxes, cuſtoms and impoſitions whatſoever, and none ſhall be impoſed on them without conſent of the general aſſembly."

The aſſembly of New York, in 1708, reſolved, " That it is, and always has been, the unqueſtionable right of every freeman in this colony, that he hath a perfect and entire property in his goods and eſtate. That the impoſing taxes, and levying of any monies upon her majeſty's ſubjects of this colony, under any pretence or colour whatſoever, without conſent in general aſſembly, is a grievance, and a violation of the people's property *."

Thus we ſee, that this right of giving their money by their own conſent alone, has been always claimed, aſſerted, and exerciſed by the Americans; and that the crown and parliament as conſtantly recognized the exerciſe of it, till the year 1764. Let the right therefore reſide really where it will, it is very clear that the novelty of claiming it

* Smith's Hiſtory of New York, p. 115.

it is on our ſide. But if the uniform claim and exerciſe of a right, with our as uniform recognition and acquieſcence for one hundred and fifty years, will not render it clear and unimpeachable, I know not by what lapſe of time, or by what circumſtances, the enjoyment of any priviledge can be rendered ſacred and ſecure. It is plain that there was no period of their exiſtence at which the colonies would not have reclaimed againſt an attempt to raiſe taxes upon them without the conſent and grant of their repreſentatives. With what truth then can the preſent oppoſition to it be imputed to a ſpirit of diſaffection, and a deſire to throw off all dependence upon the parent ſtate? That dependence and ſubordination would remain the ſame that it ever was or ought to be, were the exerciſe of this novel, odious, and unprofitable claim diſowned and aboliſhed. There is a moſt material difference between a ſubject and a ſlave; between ſubordination and ſlavery. The Americans are ſubordinate, when we controul them, for our own advantage in the means of acquiring property; when we add to that, the practice of taking the property ſo acquired at our pleaſure, they are ſlaves. What right have we, or can we have, to make them ſlaves? In my opinion we ſhall loſe them as ſubjects by attempting to hold them as ſlaves. When that happens we ſhall be compleatly undone.

There are however ſome arguments againſt the poſition, that property can only be taken by conſent, which are plauſible, and have had ſuch an effect as makes them worthy of examination.

It is ſaid, that a great part of the people of England are not repreſented, and yet they are all taxed. This is granted: but how will it conclude to America? Becauſe our repreſentation here is imperfect, therefore it ſhall be aboliſhed in America—becauſe ſome in England are taxed without their conſent, therefore all in America ſhall be treated in the ſame manner. The Americans are not contending that every man in America ſhall vote for a repreſentative, or not be taxed; if they were, this would be a good anſwer, "We are ourſelves but partially repreſented; why ſhould the ſubordinate require more ſecurity than the ſupreme ſtate?" But to the American queſtion this argument is utterly inapplicable. The ſecurity of property, as Mr Locke and common reaſon tells us, is the great end of repreſentation. It is equal enough when that end is obtained. Now from the participation of the elected and the electors with the non-electors in the taxes which are impoſed, the latter, as I before obſerved, have a virtual ſecurity, which is equal to that of thoſe who do elect. But in the caſe of the Americans there is no ſuch participation, and conſequently no ſuch virtual ſecurity. Nay, on the contrary, as the givers of the money of the Americans (ſuppoſe them to be the Britiſh houſe of commons) ſave their own property and that of their conſtituents exactly in proportion to their laviſhing that of the Americans, there is a temptation to extortion and extravagance, and therefore a virtual inſecurity of property, which is overturning the very foundation of government. If, for example, a tax is laid on Mancheſter, Birmingham and Sheffield, the ſame is borne by London, Briſtol and York; but let Boſton, New York and Philadelphia be taxed, will London, Briſtol and York, ſhare in the burthen of the impoſition? The real ſituation of the un-

repreſented in England, and the people of America if ſubject to the ſame power of taxation in the Britiſh parliament, would be juſt as different as ſecurity and inſecurity, or right and wrong.

We are next told, that parliament being the legiſlature, its acts muſt bind in all caſes whatſoever; that no line can be drawn, and therefore parliament has a conſtitutional right to impoſe taxes.

Before parliament has conſtitutional powers, it muſt be conſtitutionally formed. There is no magic or efficient power in the word which can give it ſuch a right. Parliament muſt be in part conſtituted by the people over whom its laws have ſway in all caſes whatſoever, or elſe it is not a conſtitutional power. With reſpect to Great Britain, it is ſo conſtituted; with regard to America, it is not; its power therefore cannot, or ought not, to be the ſame over both countries. The delegation of the people is the ſource of that power, moſt eſpecially in point of taxation. That delegation is wanting on the part of America, and therefore the right cannot exiſt. It is true that the authority of the legiſlature makes laws for the levying money upon the ſubject.—But unleſs the gift be previouſly made by the repreſentatives of the people, there is nothing on which the act can work. The gift muſt be made firſt and diſtinct; the law comes after to preſcribe the mode of levying it. The repreſentatives are the ſole ſource of the gift, the legiſlative act is the completion of it; but without a beginning there can be no end. It is therefore a poſition founded in the eſſential principles of the conſtitution, that "the ſupreme power, however it may make laws for regulating the ſtate, cannot take the money of the people without there conſent *."

The ſubſidies of the clergy, and a general pardon, will fully illuſtrate this. The houſes of the legiſlature can alter nothing in them, and yet they give their aſſent to paſſing them into laws. But the things themſelves on which the laws are founded are eccentric to parliament. They have their motion in another ſphere. The convocation gives the one; the king of his free grace beſtows the other. The parliament cloaths them only with the force of laws, and may chuſe in that, when they are prepared to their hands; but with the things themſelves it cannot meddle, to originate or modify them.

Any other mode of applying the power of the legiſlature to the levying of taxes is not conſtitutional, but arbitrary. It is confounding the principles of the conſtitution in the jargon of words, to ſay that parliament, becauſe it is the ſupreme power, muſt therefore have a right to impoſe taxes upon the people, whether they are repreſented in it or not. Such a parliament would only be a plauſible and powerful inſtrument of arbitrary power.

I ſhall cloſe this queſtion of right by obſerving, that as the power of giving is the great ſecurity of our liberties, ſo it is the only one which the Americans enjoy. Deprived of this, their ſituation would be deſperate. Expoſed to that jealouſy which thouſands are perpetually endeavouring to ſtimulate againſt them—without any power or means, but the ultimate appeal, to counteract or reſiſt its effects—they would be at the mercy of every informer, of every governor, miniſter,

* Locke.

niſter, and member of parliament. Whatever was moved againſt them, would meet with no oppoſition; whatever was charged upon them, would be received without queſtion or enquiry. They would not only be ſlaves, but the moſt miſerable of all ſlaves. In vain would they ſay, What is the freedom, what are thoſe Britiſh privileges to which our charters have told us we are intitled? Where are thoſe rights we have poſſeſſed above an hundred years, which we derived from ſolemn compact, which we have purchaſed by the reſtraint of our trade, by our acquiſitions under thoſe reſtraints emptied into your lap as the great mart of our produce and of our conſumptions, by fraternal attachment and unſhaken allegiance? Theſe were the price we paid for your friendſhip and your protection: but you would now leave us nothing to pay, nothing to be protected.

Upon the whole of this queſtion, it ſeems moſt manifeſt, that it is the ancient, undoubted right of Engliſh ſubjects, being freemen or freeholders, to give their property by their own conſent only, ſignified by themſelves or their repreſentatives—That the right of giving money, and the right of making laws, are and ever were ſeparate and diſtinct; the one reſiding in the repreſentative, the other in the legiſlative body—That the houſe of commons claim and exerciſe the ſole and incommunicable right of granting the money of the people of Great-Britain, becauſe that houſe alone repreſents them—That the houſe of commons ought not to claim or exerciſe ſuch a right over the people of America, becauſe that houſe does not repreſent them—That to levy taxes upon the people of America, by the authority of the Britiſh parliament, in which they are not repreſented, is unconſtitutional; deprives them of the right of Engliſhmen, and reduces them to a ſtate of abſolute bondage.

From the conſideration of the *right*, we come next to that of the *policy* of raiſing a revenue in America by the Britiſh parliament.

Is it practicable?—Is it profitable? Upon theſe points the policy muſt turn. To raiſe a revenue upon a diſtant and diſperſed people univerſally in oppoſition to it, by an authority, queſtionable at leaſt upon the foundeſt principles of the conſtitution, and in fact denied. Is this practicable? "Oh, certainly," ſays an advocate for this mode of government, "have we not a ſuperior force, have we not fleets and armies to compel their obedience?" Be it ſo—But will the revenue pay the expence of this collection? If it will not, how is it to be profitable? One hundred thouſand pounds *per annum* is the utmoſt that the moſt extravagant imagination ever expected from the taxation of America. Ten ſhips and as many regiments have not collected a twentieth part of it: double your force, and ſuppoſe it to collect the whole; your expence will at leaſt treble your collection. My ſuppoſitions are extravagantly favourable to the coercive ſide of the queſtion, and yet the concluſion is inevitably againſt it. Are theſe ways and means to anſwer the demands of a nation, ſinking, as it is ſaid, under its debt and its eſtabliſhment?

But let us give this doctrine of force and of coercion its utmoſt effect. Let us ſuppoſe, that under a conviction of their inability to reſiſt the whole force of Great Britain in a time of profound peace, every colony, every aſſembly, were to acknowledge your right, and promiſe implicit obedience, could you truſt this acquieſcence? Could any man be ſo

weak as not to perceive, that they were reſerving their reſiſtance, till the time of war and the neceſſary avocation of our force ſhould enſure its ſucceſs?

Is there any man in his ſenſes, who can ſeriouſly imagine we ſhall remain in peace for five years? Three young monarchs upon the principal thrones of Europe: two old ones looking with hatred and revenge againſt us. Is this a ſtate in which a continuance of peace is to be expected? To give the advocates then for compulſion their utmoſt wiſh, what is it but to obtain an uncertain advantage for ſome years, at the hazard of our ruin or humiliation for ever after? Let any man who has the leaſt idea of the difficulties of conducting a war againſt the houſe of Bourbon and its allies, inform us, what wiſdom, what reſources could ſave this country from ruin, if in the emergency of ſuch a war our American colonies ſhould unanimouſly revolt from all obedience, and reject all commerce with us. Who is it that thinks we could ſurvive ſuch a ſtroke? And yet this coercive policy is rendering it inevitable as fate.

Of the diſpoſition of the Americans to reſiſt our authority, *as of late extended*, which they think utterly unjuſt; there cannot be a doubt. If they ſuſpend the efforts of that diſpoſition, it can only be in their wiſdom, to watch the moſt favourable moment. That of our being hard preſſed in war is plainly ſuch. The moſt dangerous conduct, therefore, for us, would be their acquieſcence. Yet we ſhould certainly ſee the ideots who are conducting theſe meaſures, triumph upon the receipt of ſuch accounts from America. Lord North would be held up as the wiſeſt and the moſt ſpirited miniſter that ever exiſted, and he would ſnuff up the incenſe of this adulation, in the very ſincerity of his vanity and folly. But it is neither Lord North nor his flatterers who will ſtand forth when the ſtorm rages, to ſhield us from the ruin their want of wiſdom and of juſtice will bring upon us.

We have ſeen what would be the probable conſequence of an acquieſcence on the part of America, how dangerous, how fatal to us. Let us take another view of it. Let us ſuppoſe the Americans determined to reſiſt our attempts to impoſe upon them this tribute. It will be inconſiſtent with our dignity to retract. The wiſdom, the juſtice, the utility of perſevering—theſe are all out of the qneſtion. Lord North will have America at his feet. Theſe are his very words. Who ſays Lord North is not a bold ſpeaking miniſter? To gratify him, let us ſee if we can compel the Americans to abſolute obedience—How we can is doubtful—that we cannot, without ruining ourſelves, is certain.

I acknowledge, I admire, even to enthuſiaſm, the bravery of our troops. What men can do, they will do. But in a country furniſhed with faſtneſſes and defiles without number, intimately known to the enemy you are to combat, where diſcipline is unavailing or embarraſſing, and valour uſeleſs; it requires more than human power to ſucceed to any permanent purpoſe. God forbid that the bravery of ſuch troops as the Engliſh, ſhould be ſo vainly, ſo fatally employed. Let us ſuppoſe it true, as ſome vain-glorious military men have vaunted, that with four regiments you might march from one end of the continent to the other—What would this exploit avail you? The moment you quit one province for another, the commotions your preſence ſuppreſſed will revive.

vive. When you have marched thro', you will have to march back again. But ſuch bravadoes are contemptible. The man who is moſt forward to adviſe, is leaſt fit to execute ſuch arduous enterpriſes. Nor would the execution anſwer any other purpoſe, but that of pluming an individual at the expence of his country. They who remember the fatal overthrow of Braddock by a few Indians in ambuſh, an overthrow incurred by the very diſcipline in which he vainly put his truſt, will be apt to doubt the facility of reducing the colonies by military force. They who reflect, that the united aid and efforts of all the colonies were neceſſary to give ſucceſs to our arms in the late war againſt the Canadians, will be ſtill more doubtful of this expedient.

Difficult however as the reduction of our colonies may be, the preſerving them in obedience to ſuch a government would be infinitely more impracticable. But in the mean time, while our troops are employed in ſlaughtering the Americans, who is to cultivate the lands in America? Who is to furniſh the groſs materials of our commerce with them? Who is to conſume the manufactures, and maintain the manufacturers to whom that commerce was daily bread? The wiſe miniſters who planned theſe meaſures have ſurely provided for this. The neceſſity of ſuch foreſight could not poſſibly eſcape them. But what that proviſion will be, paſſes my underſtanding. I am, however, much afraid it will not be quite ſubſtantial enough to feed numbers who will be neceſſarily idle.

The naval ſtores, the iron, the indigo, the tobacco, the flax ſeed, which the labour of the Americans furniſhes us; are we able to ſubſiſt without them, or to procure them from other nations? Have we forgot the humiliating terms to which Sweden attempted to reduce us? Our recourſe then was to America. She ſupplied us, and removed that dependence, which would otherwiſe have left us at the mercy of foreign nations. When our wiſe meaſures have ſtopped up the American channel of ſupply, what will ſhield us from the exorbitancy of Sweden and Ruſſia*? Naval ſtores are neceſſaries; if we reſtore the monopoly of them, we muſt take the conſequences of our folly. Until South Carolina and Georgia ſupplied us with indigo, we paid annually to our enemies, the French, 200,000l. in ſpecie, for this article, ſo eſſential to the exiſtence of a variety of important manufactures. We offered a bounty upon it. The Americans ſupplied us not only for our own conſumption, but for foreign markets †. Inſtead of ſpecie, they take in return our manufactures, loaded with all our taxes. If the policy which encouraged this commerce was wiſe, that which ſtops it muſt be fooliſh.

The duty upon tobacco ſhould bring into the revenue at leaſt 400,000l. *per annum*. By what ways and means will this deficiency be ſupplied? The profit to this kingdom, upon the confinement of this article alone to the ports of Great Britain, and the returns for it in

* In 1718 the Ruſſians and Swedes agreed not to ſuffer Great Britain to export any naval ſtores from their dominions but in Ruſſian and Swediſh bottoms, and at their own price. Great Britain was diſtreſſed. Pitch and tar roſe to 3l. per barrel. In this emergency, a bounty was offered on thoſe articles from the colonies. It ſucceeded. Theſe articles fell to 15s. and we were relieved from theſe exorbitant demands; which will, without doubt, be revived when we are fooliſh enough to commence hoſtilities againſt thoſe who relieved us. † See Anderſon's Dict. of Commerce.

in Britiſh manufactures and merchandize, amounts, at the loweſt computation, to half a million yearly, excluſive of the duty. I ſhall be glad to know how this loſs will be compenſated. I will not enter into the thouſand little ſtreams of our American commerce, which all combined form a noble river, that nouriſhes the navy, the manufactures, the fields of England; and maintains her upon that eminence of grandeur and glory, to which ſhe is exalted. The value of the whole is incomputable. But I ſhall not think the detail neceſſary, till I ſee it rendered probable that this extorted American revenue will reimburſe us for the loſs of any one of theſe articles, indigo, tobacco, or naval ſtores.

Upon the ſuppoſition then, that in conſequence of the meaſures we have lately adopted, unexampled in their rigour, unexampled in the violence and injuſtice with which they were conducted, America ſhould be driven into real reſiſtance; what will be the conſequence? Our commerce, our navy, our revenue, our trade, our manufactures, will receive immediately a dangerous, if not a fatal blow. But we ſhall be avenged! Our diſciplined troops will put them to the ſword, and deſtroy their plantations; our navy will burn their cities and their trading veſſels. Alas! theſe would be fatal victories! Theſe are the men whoſe induſtry and labour furniſh the materials of our beſt commerce, the ſupply of whoſe conſumption gives life to our manufactures; theſe are the plantations, the harveſts of which we ultimately reap: theſe are the cities which are the reſervoirs of an infinity of ſtreams of trade, the profits of which are at laſt emptied into the lap of Great Britain. Were theſe men, theſe plantations, theſe cities trebled, the profits would centre in Great Britain, and add ſo much more to her ſtrength and opulence. To diminiſh, to deſtroy them—it is miſchief irreparable, it is madneſs in the extreme; yet it is the inevitable conſequence of the whole ſyſtem of American meaſures, ſince the preſent reign.

We have thus ſeen the probable iſſue of hoſtile meaſures towards America. If we ſucceed, we are ruined. If we do not ſucceed—if by thoſe extraordinary exertions which have often proceeded from people contending for their liberties, or by any of thoſe accidents which have frequently decided the fate of battles and of empires, taking the victory from the ſtrong and the race from the ſwift, we ſhould be repulſed; to what a ſtate of humiliation ſhall we be reduced! Such is the inſuperable abſurdity of the meaſure, that, whether victors or vanquiſhed, we are ſure of being ſufferers.

I have ſaid but a word about the intervention of other powers. Our wiſe miniſters will tell us, this is improbable. There is not a part of the world upon which France looks with a more attentive eye than upon America. There is not the ſmalleſt event, relative to our proceedings towards the colonies, of which they are not minutely informed. If they ſhould be idle ſpectators of ſuch a conteſt, it would be one of the moſt extraordinary events that ever happened. No folly, leſs blind than that which formed theſe meaſures againſt America, would hazard ſuch a ſuppoſition. Whatever pacific appearances a fooliſh miniſter may hold out in the king's ſpeech, the French are in fact putting

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ting themſelves into a poſture which might well make the firmeſt Engliſhman tremble for the event, even if we were perfectly united.

In every view of our proceedings againſt America, we ſee them unwiſe, perilous, and unprofitable. If paſſion and prejudice have not totally taken place of reaſon and enquiry, let the planners of this ſyſtem ſhew us what they rationally expect from it. The moſt confidential men have repeatedly declared, in both houſes of parliament, that a revenue is not the object. Lord Mansfield will not deny his declaration at leaſt, and there is an hoſt in him *. In truth, whether this was meant in good faith or not, it is moſt veritable. No adequate revenue will ever be obtained from thence by forcible means.

To what purpoſe then are we hazarding ſo great a ſtake as the commerce of this kingdom and the peace of America? Is it that their whig principles are odious at court? Is it that the ſpirit of the revolution, which animates them, is hateful to every man who has abandoned the once loved Cocoa-tree, for the now auſpicious cloſet?—is it that a ſerious ſyſtem of ſlavery has aſcended the back ſtairs, the firſt line of which is to ſubjugate America? One would be very apt to ſuſpect this, had we not the royal aſſurance that his majeſty has no intereſt, can have no intereſt, ſeparate from that of his people. A ſyſtem of ſlavery can never be the intereſt of his people: but a little Popery, a little arbitrary power, French law, French religion, French government, and in America only—there can be no harm in that. There is no wind can blow them over to England. And if ſuch an accident ſhould happen, there will be honeſt men enough found to perſuade us there is no harm in that either. A *falſe alarm*, or *an anſwer to queries*, will do the buſineſs. One is always happy to ſee declarations ſo well ſupported by actions; and if it were poſſible to doubt the ſincerity of the royal word, the Quebec bill would make us bluſh at our ſuſpicions.

The people are intereſted; it is to them I ſpeak. There is no feeling for their intereſts either in the cabinet or in parliament; their repreſentatives ſacrifice every thing to their own pride and profit; it now only remains with them, as the laſt reſource, to inſiſt on their repreſentatives procuring a retraction of thoſe fooliſh and arbitrary meaſures which have thrown all America into confuſion, and threaten the utter ruin of the moſt valuable commerce we poſſeſs. The taxation of America may provide places and penſions for the tools and dependants of a miniſter; but it never can relieve our national diſtreſſes, nor even compenſate for the expence of carrying it into execution. The produce of American labour is ſpent in Britiſh manufactures; the balance of trade is greatly againſt them; whatever you take directly in taxes, is in effect taken from your own commerce. If the miniſter ſeizes the money with which the American ſhould pay his debts and come to market, the merchant and the trader cannot expect him as a cuſtomer; nor can the debts already contracted be paid. This is cutting up commerce by the roots. It is like the folly of a young man who takes from the principal of his eſtate to ſupply his wants. We know in his caſe that ſuch a practice will prove his ruin. The commerce

* Lord Dartmouth has made the ſame declaration this ſeſſion.

merce of this kingdom is to the ſtate, what the principal of his fortune is to a private man. The ſame conduct leads to the ſame end. Suppoſe we obtained from America a million inſtead of an hundred thouſand pounds, it would be ſupplying our preſent exigences by the future ruin of our commerce. Nothing can be more obvious. What is it then that can make us perſevere in a meaſure, the very ſucceſs of which muſt be our ruin?

We are told, however, that the Americans pay no taxes, while ours are very heavy; and that as they equally enjoy protection, they ought to contribute their proportion to the expence.

But the queſtion is not *whether* the Americans ſhall contribute, but *how* they ſhall contribute? Whether they ſhall be taxed by their own repreſentatives or by ours? They contributed during the war, but it was by their own aſſemblies; the proof of this is from the records of the houſe of commons itſelf. The following is a copy of a meſſage from his majeſty to the houſe of commons, repeated for four ſeſſions.

Die Jovis 26° *Aprilis. anno* 32° *Georgii ſecundi Regis*, 1759.

George Rex. His majeſty being ſenſible of the active zeal and vigour with which his faithful ſubjects of North America have exerted themſelves, in defence of his majeſty's juſt rights and poſſeſſions, recommends it to this houſe to take the ſame into conſideration, and to enable his majeſty to give them a proper compenſation for the expences incurred by the reſpective provinces, in the levying, cloathing and pay of the troops raiſed by the ſame, according as the active vigour and ſtrenuous efforts of the reſpective provinces ſhall juſtly appear to merit. G. R.

This was in the good days of George the Second, There was no junto, no back ſtairs buſineſs then; a whig king and whig miniſter, ſpeaking to a whig people. A king who did not *profeſs* that he had no intereſt diſtinct from that of his people, but made them read it in his actions. A king who had too much dignity to deceive his people; too much honour to contrive the ruin of their liberties. The ſyſtem then was to *aſk* the aid of the people; the ſyſtem now is, to *command* it. The Americans, we ſee, contributed then with zeal and vigour; the event will ſhew whether the new ſyſtem is calculated to inflame their zeal and increaſe their ardour. Let us however remember, in the mean time, what credit thoſe miniſterial tools deſerve, who have ſo confidently affirmed, that the Americans did not contribute to the expences of the late war.

The following is the number of troops raiſed by each colony during the late war.

New Hampſhire	2000
Maſſachuſetts Bay	7000
Rhode Iſland	1500
Connecticut	5000
New York	2600
New Jerſey	1000
Pennſylvania	1500
Virginia	1200
Carolina	2000
Total	23,800

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With equal truth it is ſaid, that the Americans pay no taxes. I will give an eſtimate of the taxes, both internal and external, paid by the colony of Virginia, with the income and expence of the colony, and the balance will ſhew their ability to bear additional impoſitions.

EXPENCE.	£.
Quit rents	10,000
Impoſt on tobacco	5000
Tonnage on ſhipping	5000*
Britiſh manufactures, one third of which, according to the Britiſh writers, ariſes from various taxes	800,000
Poll tax, land tax, wheel tax, &c.	100,000
From tobacco being reſtricted to the ports of Great Britain	100,000
Commiſſion on the ſale of the tobacco	120,000

GROSS PRODUCE.	£.	£.
From tobacco	660,000	
Lumber, corn, grain and proviſion	300,000	
Total	960,000	1,140,000

It appears from this eſtimate, that a ninth part of the groſs produce of the colony is paid for internal taxes—that as much is ſacrificed to the acts of navigation, which reſtrict their trade to this country for our benefit—that a ſum, almoſt equal to the whole, is expended in Britiſh manufactures and merchandize, which leaves the colony in debt, annually, 180,000l. The vaſt profits which the Britiſh merchants make upon this commerce, enable them to afford that credit; which, when it riſes to an extreme, is reduced by greater frugality in the planter, or by an extraordinary favourable year increaſing the quantity, quality, or price of his produce, and conſequently the groſs income of the colony.

The public will judge, from this ſituation of one of the richeſt colonies, of the ability of America to bear additional taxes. Were the right of impoſing them ever ſo unqueſtionable, the impropriety of it would be manifeſt. A young people, loaded with an enormous debt of ſix millions, with the balance of trade annually againſt them, ariſing entirely from the reſtrictions we impoſe upon their trade, are not fit objects of additional taxation. Were theſe circumſtances reverſed, there would be ſome propriety in applying to them for relief from the load of our national debt and eſtabliſhment: but as it is, were they ever ſo little inclined to queſtion your right, or to reſiſt the impoſition of taxes, the conſequence of impoſing them would be ruinous. The inhabitants finding it impoſſible to live in ſuch circumſtances would retire back in troops, as our own are now emigrating from Great Britain and Ireland. Remote from the ſea coaſt, they would live entirely within themſelves, relinquiſhing all commerce with the mother country, and bidding defiance equally to the merchant for his debt, and the crown for its taxes. Theſe meaſures being prompted by neceſſity would be irreſiſtible. They would leave us a depopulated frontier to tyrannize

* Theſe three ſums, amounting to 20,000l. together with the quit rents in the other North American colonies, and the duty of 4½ *per cent.* on all the produce of the Weſt India Iſlands, except Jamaica, amounting annually, at the loweſt computation, to 100,000l. are paid to the crown, and never accounted for to parliament. Before any farther aid can with propriety be aſked of our American brethren, ſhould we not ſhew them that this 100,000l. is really applied to the exigencies of the ſtate?

over; and for this you would have ſacrificed a valuable and growing commerce, with all the ſtrength and aid which we have received from the active zeal and vigorous efforts of an affectionate, induſtrious, loyal people. Were I an enemy to Great Britain, I would promote this very ſyſtem, to humble, to overthrow her. Nothing operates like neceſſity. No human wiſdom or virtue can produce equal effects. Perſevere in theſe meaſures, and you will create that neceſſity, which will effect the independence of America beyond the operation of policy or perſuaſion. "Men pay too dear for their want of providence; and "find too late, that the neglect of juſtice is an infallible undermining, "how undiſcerned ſoever, of that ſecurity which their policy would "raiſe for themſelves, in the place of that which wiſdom and juſtice "had provided for them *."

How then are we to avert theſe evils? How are we to regain the confidence of America, and the commerce of Great Britain? Nothing more eaſy. Recall your fleets and armies; recall your commiſſioners; repeal your uſeleſs, your obnoxious laws; reſtore the eſtabliſhment of America to what it was at the concluſion of the late war; ceaſe to hold out rewards, as if in the public gazette, for fraud and impoſition. The Barnards, the Hutchinſons, the Olivers, will without end make ſuch credulity the ruinous inſtruments of their revenge, avarice and ambition. Such men never want the ſpecious pretext of loyalty and order, to cover their intereſted views †.

But it will be ſaid, that to retract would be to reſign our authority over our colonies. What——had we no authority over America till the year 1764, when theſe meaſures commenced? Was no revenue collected, no acts of parliament obeyed, no ſupreme power exerciſed or acknowledged till the ſtamp-act? Was that act founded upon any complaint of this kind?

The fact is ſo far the reverſe, that the revenue officers remitted more money home before, than ſince that act; the laws of trade were much better obeyed; nor was our ſupreme controuling power queſtioned or oppoſed. If theſe poſitions are not true, let thoſe who adviſe theſe American meaſures, produce, if they can, any authentic evidence to refute them. I will refer to ſome of thoſe laws, which, in our ſovereignty, we made for America, and which, in their reluctance to diſpute with us, they obeyed. In the reſtriction of their trade and manufactures, the exerciſe of our power was wantonly oppreſſive; yet until we paſſed that line, and attempted to take their money from them without their conſent, that is, to make them the moſt abject ſlaves, we hear of no petitions, remonſtrances, and aſſociations againſt our acts. The ſentiments of America, upon this queſtion, are exactly ſimilar, and ought to be equally reſpected with thoſe of our anceſtors in the caſe of ſhip-money. I will give them in the words of Mr Hume. "The amount of the whole tax was very moderate, little exceeding twenty thouſand pounds—It was diſtributed upon the people with juſtice and equality, and the money, honour, and advantage of the kingdom; yet all theſe circumſtances could not reconcile the people

* Lord Clarendon. † The late reſolves of the American congreſs will furniſh the faireſt ground for reconciliation.

people to the impoſition. It was entirely arbitrary. By the ſame right any other tax might be impoſed, and men eſteemed a powerful fleet, though very deſirable, but a poor recompence for all their liberties." Hiſt. of Eng. V. v. p. 210. In proof of what I have ſaid, I will recite ſome of the moſt grievous exertions of our ſupreme authority to which they ſubmitted.

Firſt, The prohibition from making ſteel, or erecting ſteel furnaces. This was the more ſevere, as it ſacrificed all America to five or ſix perſons in England, engaged in this manufacture, who are ſo far from being able to ſupply the market, that conſiderable quantities are yearly imported from Germany.

Secondly, Obliging them to land the Spaniſh and Portugal wines and fruit, which they import, in England, ſubject to high duties and heavy charges for re-ſhipping. This reſtriction not only grievouſly enhances the price of theſe neceſſary articles, but expoſes their veſſels to the danger and expence of an additional voyage of 1000 miles, in a boiſterous ſea, in time of peace; and in time of war, to an advanced inſurance of 25 *per cent.*

Thirdly, The reſtraint laid on the ſale of hats, and the prohibition of exporting them. In conſequence of this, an inhabitant of one province cannot buy a hat from his neighbour, being a hatter, in the other; but muſt ſend 3000 miles for it, at three times the price, for the benefit of our manufactures. Is this no ſacrifice on the part of America? No advantage on ours?

Fourthly, They are not ſuffered to erect plating or ſliting mills, or tilt hammers. Thus, though iron is the produce of their own country, they muſt ſend it to England, and pay us for manufacturing it, before they are ſuffered to avail themſelves of thoſe advantages which God has given them. Nails, hoes, ploughs, axes, &c. they are under the greateſt neceſſity of uſing, from the nature of their country, in great quantities; yet they are obliged to take ſuch as we pleaſe to give them, at our own price, loaded with our taxes, and the charges of double freight, commiſſions, &c.

Fifthly, They are prohibited from carrying wool, or any kind of woollen goods made in one colony, to another. A ſingle fleece of wool, or a dozen of home-made hoſe carried from one colony to another, is not only forfeited, but ſubjects the veſſel if conveyed by water, or the waggon and horſes, if by land, to a ſeizure, and the owner to a heavy fine.

Sixthly, The Americans are not permitted to carry logwood to any foreign market, without previouſly bringing to ſome Britiſh port, to land, and re-ſhip it, at a great riſque, expence, and loſs of time.

I will not trouble the reader with more inſtances, though there are many. Theſe are amply ſufficient to ſhew what authority we had over them, and how rigorouſly we exerciſed it—how much to our own advantage, and to their loſs. When we have deſtroyed the Americans or diſſolved by our injuſtice and extortion their connection with us, where is it we ſhall find another people whom we may thus make the inſtruments of our manufactures and commerce? Where is it we can ſecure a monopoly of the groſs article, and of its conſumption when

manufactured? It is plain from these very restrictions, that America is capable of manufacturing for herself. There is no doubt but that a little time would enable her to supply other nations. The desisting from this, confining themselves to the culture of raw materials, and consuming our manufactures loaded with every charge, tax and imposition, is the price they paid for the protection we gave them. We exacted it rigorously, yet they paid it willingly. Severe as the restraints were, they flourished under them, and therefore did not complain. But when we assumed a greater power; when, not content with restraining their acquisitions, we began to take from them at our pleasure, what they acquired under those restraints; this was a system of such glaring injustice, that they could not submit to it. It was a system that left them nothing they could call their own. What incitement could any man in America have to be industrious or acquire property, when a house of commons, distant, unknown to him, unconnected with him, unelected by him, not sharing in the tax they imposed, or rather saving their own, as they lavished his property, might dispose of it as they pleased, without his consent or participation, or those of any one deputed by him?

Nor were we content with this; we subjected all their property to the judgment of a single judge of admiralty, without the intervention of a jury. A judge appointed by the king, subsisting at his pleasure, yet determining between the king and the subject, and payable out of the forfeitures which his judgment against the subject should produce. It is not in human wickedness and injustice to devise more infallible means of perverting justice, and rendering property insecure. And that this most arbitrary measure might be executed in the most odious manner, those men were appointed to these offices who had signalized themselves, not by their abilities and virtue, but by being infamous sticklers against their country. Let us contemplate for a moment the effect of this establishment of vice-admiralty courts. The law gives the custom-house officer the option of carrying his seizure into any one of the four courts appointed for all America. The officer makes his seizure in Pensacola, and libels in the court at Hallifax, which is more than two thousand miles distant. The owner must be at the expence of going thither, must submit his property to the arbitration of such a judge, and whether the decision be for or against him, he can have no retribution for his expences, or for the delay, or for the damage his cargo may have received. The law has made the judge's certificate a protection to the officer against an action of damages.

It seemed, however, that the oppression of America was not yet sufficiently severe. All their judges were therefore rendered dependent upon the crown for their salaries and their places. The lives and liberties as well as the property of the people were to be at the mercy of the crown. To make the system compleat, their governors were rendered as absolute as the Spanish Viceroys. In fine, to convince them that they were doomed to experience the last exertion of arbitrary power, a militrary force was sent to execute this system.

After all these injuries and insults, we are surprized that the Americans should be discontented! We think it extraordinary that they should destroy the tea sent on purpose to compel the payment of a duty so imposed!

poſed! It is an injury to private property: but who offered the firſt injury to private property? Who was it that claimed and exerciſed a right to diſpoſe of all the property in America at their pleaſure? The Britiſh houſe of commons. A ſet of men aſſembled at Weſtminſter, who have juſt as much right to diſpoſe of property in America as the Divan at Conſtantinople has in England. This was the firſt interruption of that harmony which ſubſiſted between the two countries; a harmony under which the commerce and manufactures of this country ſo eminently proſpered. The Americans were not the aggreſſors. They received the news of the intended ſtamp act with aſtoniſhment. It was ſome time before they could believe it poſſible, that a parliament which they regarded with reſpect could be guilty of ſuch an outrage againſt their rights: That a houſe of commons, who exiſted only by the election of the people of England, who would not ſuffer any other branch of the legiſlature to touch the property of the people, becauſe they only are deputed by them, ſhould ſeriouſly reſolve that it might be juſt and expedient for them to give and grant the property of the people of America. One reads, to this moment, ſuch a reſolution with a mixture of aſtoniſhment and ridicule. Had they reſolved that it would be juſt and proper for that houſe to turn all the white people in America into blacks, it would not have been more ridiculous. For God's ſake whence did they derive the right of giving the property of the people of America? Did that people ever delegate to them ſuch a right? Can ſuch a right exiſt without the delegation of the community to whom the property belongs? Yet from this abſurd reſolution we proceeded to acts which have alienated and inflamed all America. Are the Americans to blame for all this? Are they culpable for the conſequences? Are we to put fire in a man's hand and puniſh him for expreſſing a ſenſe of pain and endeavouring to reject it? Are the Americans diveſted of the feelings of humanity? If they are not, the things which are calculated to rouze and irritate thoſe feelings, muſt have their effects.

In theſe circumſtances, the tea was deſtroyed at Boſton by perſons unknown. Without enquiring after the guilty, without evidence, without a hearing, (their agent refuſed a hearing, upon a quibble which would have diſgraced the Old Bailey) we proceed to puniſh the town of Boſton, to a thouſand times the amount of the damage ſuſtained.

But this was not enough; in violation of the royal faith, we alter their charter, without any act of forfeiture even pretended. Their juries, who were choſen by lot, and therefore, as far as human precaution could effect, were rendered impartial, we have directed to be returned by the ſheriff, who is a creature of the governor's appointment; and thus a way is found out to have the lives, liberties and property of the people at the mercy of the crown, under the form of law, by pack'd juries, as well as dependent judges. Theſe are the meaſures which are to calm the commotions of America, and reſtore the harmony we have interrupted. Yet after all theſe proceedings, calculated to exaſperate and inflame the Americans, and to convince them that we have neither juſtice nor wiſdom to guide us, the men who have been inſtrumental

in

in all this are gravely told, that the "temper and firmneſs with which they have acted, will enſure ſucceſs"—and that a bill for eſtabliſhing popery and arbitrary government in America "is founded upon the cleareſt principles of humanity and juſtice." On any other occaſion one would have been tempted to think this was ſaid to ridicule them. Let it have been meant as it will, ſuch praiſe is the ſevereſt ſatire.

Spirit of the Stuarts, look down and wonder! This ſingle tranſaction will put all your merits to the bluſh!

Every ſtep we have taken reſpecting America, for ten years paſt, has been repugnant to the practice of our anceſtors. It was their policy to conciliate the people, and ſecure their commerce to Great Britain. Our ſyſtem has been to alienate and irritate them. We have made it a public virtue in America to diſcontinue all commerce with us, and to encourage ſmuggling. We ſhall attempt, perhaps too late, to return to the wiſdom of former times. If there were any defects in the American conſtitutions, we have not taken the proper ſteps to rectify them. "Time only, and long experience," ſays Sully, "can bring remedies to the defects in a ſtate whoſe form is already determined; and this ought always to be attempted, with a view to the plan of its original conſtitution: this is ſo certain, that whenever we ſee a ſtate conducted by meaſures contrary to thoſe made uſe of in its foundation, we may be aſſured a great revolution is at hand *."

The American conſtitutions were modelled upon that of England. We have begun the reformation: but the taxing the people without their being repreſented—the depriving them of all influence in the government—the abolition of juries in part, and rendering the reſt liable to be pack'd by the crown officers—the making their judges dependent, and their governors abſolute—the impowering cuſtom-houſe officers, at their pleaſure, to break open a man's doors, cabinets, cheſts, &c. rendering his honſe no longer his caſtle of protection—theſe are the reformations we have attempted in America. They are indeed with a view to the original conſtitution, but manifeſtly with a view to overturn it. The event will ſhew whether Sully's conſequence will follow, whether a great revolution will enſue. In my judgment it will be inevitable, unleſs the intervention of the people at large, who in every view are intereſted to prevent it, ſhould exert thoſe powers which they have in the ſtate, and prevail on parliament to retract all thoſe obnoxious, unconſtitutional meaſures, and reſtore America to that ſtate in which they were at the end of the war. Our commerce with her then was uninterrupted, proſperous and profitable; our authority over her was fully ſufficient to preſerve this advantage. By arrogating more, we endanger the loſs of the whole, either by the deſtruction or diſconnection of the people upon whom it depended.

That our authority over America, and the advantages we derived from her, before theſe meaſures commenced, were as great as in reaſon and juſtice we ſhould require, is the opinion of a wiſe and well informed foreigner; a writer who has viewed the ſtate of all the European colonies with great impartiality and attention; I mean the celebrated author of the *Hiſtoire philoſophique des Indes*. His ſentiments are theſe:

"Great

* Memoirs, v. 2.

" Great Britain enjoys all the power over her colonies that ſhe ought " to deſire. She has a negative on all the laws they make. The exe- " cutive power is entirely in the hands of her delegates. There is an " appeal to her from all their civil courts. All their commercial " movements are in her arbitration. To increaſe the yoke of a domi- " nation ſo wiſely framed, would be to plunge the continent anew into " that diſorder from which they have hardly extricated themſelves by " two centuries of continual labour and hardſhips—it would be to com- " pel the induſtrious labourers, who have cleared it, to arm in defence " of thoſe ſacred rights which they hold equally from nature and ſo- " ciety. The people of England, a people ſo devoted to liberty, who " have ſometimes protected it in regions unallied to them—can they " forget thoſe principles which their glory, their virtue, their feelings, " their ſafety render an eternal duty? Will they betray thoſe rights, " which are ſo dear to themſelves, ſo far as to contribute to reduce their " brothers to ſlavery? If however it ſhould happen, that ſome incen- " diary ſpirits ſhould deviſe ſo fatal a meaſure, and in ſome moment " of madneſs ſhould have it adopted by Great Britain, what ought then " to be the conduct of the colonies, to prevent their falling under the " moſt odious ſervitude?

" Before they proceed to extremities, they ſhould remember all the " advantages they derive from the more powerful ſtate. England has " always been a bulwark to them, againſt the nations of Europe. She " has been a guide to them, and a preſerver from thoſe civil diſſen- " tions, which jealouſy and rivalſhip but too often excite among " neighbouring ſtates, in their infancy and progreſs. It is to the in- " fluence of her excellent conſtitution that they owe the proſperity they " enjoy. As long as the colonies continue under wiſe and moderate re- " gulation, they will continue to extend the progreſs of their induſtry " to the fartheſt extremity of their country?

" But may their love for Great Britain be, in the mean time, ac- " companied by a certain jealouſy of their liberties. Let their rights be " frequently examimed, diſcuſſed and explained. Let them cheriſh " thoſe as their beſt citizens, who inceſſantly warm them. This jealous " ſpirit is neceſſary in all free ſtates; but more eſpecially in a mixed " conſtitution, where liberty is joined with a certain dependence ne- " ceſſary to the connection between two diſtant ſtates. Such vigilance " will be the ſureſt guardian of that union, which ought for ever to " connect Great Britain and her American colonies.

" But if the miniſtry, which always, even in free ſtates, conſiſts of " ambitious men, ſhould attempt to augment the power of the crown, " or the revenue of the ſtate, to the injury of the colonies, they ought " firmly to reſiſt the uſurpation—Yet they are too much enlightened " not to know, that they cannot be juſtified in proceeding to extre- " mities, till they have tried every means of obtaining redreſs in vain*: " but they know too, that if they are driven to the neceſſity of chuſing " ſlavery

* The Americans have in fact exhauſted every peaceable means of obtaining redreſs. For ſeven years they have inceſſantly complained and petitioned for redreſs; their return has invariably been a repetition of injuries, aggravated by the moſt intolerable inſults. There has not been a ſingle inſtance in which they have complained, without being rebuked, or in which they have been complained againſt, without being puniſhed.

" ſlavery or war, if they are compelled to take up arms in defence of " their liberty they ought not to ſully ſo noble a cauſe with all the hor- " rors and cruelties of ſedition; and with the determined purpoſe of " not ſheathing the ſword, till their rights are vindicated, they ſhould " be ſatisfied with the recovery of their former privileges."

Prejudice and imaginary intereſt, artfully laid before us, have made us view the whole of this buſineſs thro' a falſe medium. But this philoſopher, who ſees the whole with an equal and impartial eye, whoſe examination of the ſtate of our connection with America has made him a competent, and his diſintereſtedneſs an upright judge, can clearly perceive the unwiſe and unjuſt policy of our proceedings. The univerſal diſcontent in America, where no ſuch temper was ever heard of before the commencement of theſe meaſures, ought to convince us that they labour under real grievances. It is an infallible truth, what the Duke de Sully has obſerved—*Pour le peuple, ce n'eſt jamais par envie d' attaquer, qu'elle ſe ſouleve; mais par impatience de ſouffrir* *. " The people never " riſe from a deſire of doing, but from an impatience of ſuffering inju- " ries." But not only that love of tranquillity, which withholds people in general from commotions, operated with the Americans, but the additional motives of affection and reſpect, which made them always regard this country as their home. Theſe were habits ariſing from education, which always take the ſtrongeſt poſſeſſion of the human mind. Nothing indeed could have overcome the reſtraint of theſe feelings, but ſo palpable an invaſion of their rights and liberties, as convinced them there was a deſign in his majeſty's miniſters to enſlave them. As the true deſcendants of Engliſhmen, they are jealous of their liberty, and prize it beyond all earthly bleſſings. It is a ſpirit we ought to reſpect, even in its exceſſes, becauſe there is always more danger of ſinking into ſlavery, than of riſing into licentiouſneſs. When we cenſure the ſtruggles of other people for their liberties, I am afraid we ſhall not long contend for our own. No man, ſays the gallant Lord Moleſworth, can be a ſincere lover of liberty, who is not for encreaſing and communicating that bleſſing to all people: and therefore the giving or reſtoring it, not only to our brethren of Scotland and Ireland, but even to France itſelf, were it in our power, is one of the principal articles of Whiggiſm.

May the liberties of England be immortal—but may Engliſhmen ever remember, that the ſame arbitrary ſpirit which prompts an invaſion of the conſtitution in America, will not long leave that of England unattacked; and that the ſame corrupt ſervility in their members, will make them the inſtruments of the crown in all its attempts.

* Vol. I. p. 133.

A
SECOND APPEAL
TO THE
JUSTICE and INTERESTS of the PEOPLE.

Ου' γὰρ ἐπί τῳ δοῦλοι, ἀλλ' ἐπί τῳ ὅμῳ εἶναί ἐκπεμπονται. Thucydides.

Non enim ut servi, sed ut pari jure sint demittuntur Coloniæ.

Grotius, lib. ii. c. 9.

THE worst event that I apprehended from our unhappy difference with our fellow subjects in America, is now come to pass. The *civil* sword, with all its terrible formalities, is drawn in our colonies.

I did indeed conceive, that, if not compelled by additional injuries and irritation, the Americans would rather acquiesce, for a time, under their former grievances, than meet the administration in arms; or that if they did make such an attempt, defeat and destruction must, at first, be their inevitable lot. Such was the fate of the United Provinces, when they were compelled to resist Spain; and yet, in the end, that resistance was fatal to the oppressor.

But a total rejection of the healing measures proposed by Lord Chatham; an adoption of the most rigorous proceedings here, and a military movement there, have driven them at once into the last resources of despair—an appeal to the God of battles. In this appeal, they have already shewn an address and resolution, which forebode a contest the most obstinate, bloody, and destructive, that has ever yet destroyed mankind. At the expence of near two thousand of our bravest men, we have scarce acquired territory enough to bury the the slain; and the army of ten thousand, with our best generals, which it was vainly imagined could march in triumph through the whole continent of America, is kept shut up in Boston, in spite of every stratagem and effort, a prey to shame, disease, and disappointment.

Such, unhappily, is the present state of America. Our measures have united them as one man. Our attempts to execute those measures by military force, have served only to convince us of their strength and our weakness.

In order to judge, however, of these proceedings, it is necessary to take a view of what has passed since the commencement of the last session of parliament.

After the intemperate meaſures of the ſeſſion of 1774, good and wiſe men placed their hopes of relief from the violences of that, in the wiſdom and moderation of a new parliament. Men who foreſaw the deſtructive conſequences to the whole empire from coercive meaſures, and that the intereſts of the whole would be beſt conſulted by the peace and contentment of the whole, could not but hope, that a new parliament, uncommitted in this dangerous quarrel, would endeavour to heal the unhappy diviſions that diſtracted and endangered the dominion, by redreſſing grievances, and reſtoring the colonies to the unmoleſted enjoyment of thoſe liberties, the infringement of which was the foundation of this alarming diſpute.

Theſe hopes were flattering, but fugitive. From the firſt day, the firſt hour of the ſeſſion, they vaniſhed. Nor was it long before the reaſon of this diſappointment was diſcovered. The miniſters boaſted in the houſe of lords, that they had adviſed a ſudden diſſolution of parliament, that it might be re-choſen before the nation recovered from its deluſion reſpecting America. The parliament obtained by ſuch a manœuvre, anſwered effectually the ends of thoſe who planned it; ſo effectually indeed, as to have left us hardly any thing but to pray, that the *boaſt* of the *miniſters* may not be the bane of the empire.

The King's ſpeech, at the opening of the ſeſſion, contained the alarming expreſſions of—a moſt daring ſpirit of reſiſtance and diſobedience to the law in the Maſſachuſet's Bay, breaking out into violences of a very criminal nature—unwarrantable attempts and unlawful combinations in the other colonies. The addreſs of the houſe of commons re-echoed theſe expreſſions; and while they declared their hope that "his majeſty's conſtant endeavours to prevent the breaking out of freſh diſturbances in Europe, would be attended with ſucceſs;" they unhappily lent themſelves to every propoſition, calculated by the miniſter to excite more fatal commotions in America.

On the 20th of January, the great author, under divine providence, of our honorable pre-eminence over other nations, in reputation and power, the Earl of Chatham, made the following motion, "That an humble addreſs be preſented to his majeſty, moſt humbly to adviſe and beſeech his majeſty, that, in order to open the way towards an happy ſettlement of the dangerous troubles in America, by beginning to allay ferments and ſoften animoſities there; and above all, for preventing, in the mean time, any ſudden and fatal cataſtrophe at Boſton, now ſuffering under the daily irritation of an army before their eyes, poſted in their town, it may graciouſly pleaſe his majeſty, that immediate orders may be diſpatched to General Gage, for removing his majeſty's forces from the town of Boſton."

This motion was rejected by a great majority. The illuſtrious father of his country, renewed his endeavours for conciliation on the 1ſt of February, by propoſing "A proviſional act for ſettling the troubles in America, and for aſſerting the ſupreme legiſlative authority and ſuperintending power of Great Britain over the colonies."

This propoſition was alſo totally rejected; and with circumſtances of high inſult on the venerable mover of it, by the members of adminiſtration.

Motions

Motions for the ſame conciliatory purpoſe, in the lower houſe, by Mr Burke and Mr Hartley, were treated in the ſame manner

The latter end of December, an humble petition was preſented to the king, from the General Congreſs in America, ſetting forth their grievances, praying for redreſs, profeſſing their readineſs to grant money when conſtitutionally required, declaring their devotion to his majeſty, and their veneration for the parent ſtate. This petition had no farther regard paid to it, than that of being ſent to the two houſes of parliament, undiſtinguiſhed among a multitude of official papers; and when Sir George Savile moved the houſe, in conſequence of a petition for that purpoſe, that the agents might be heard upon it at the bar, it was refuſed *. It is true, when that petition was preſented to his majeſty, an anſwer was given, importing a very different treatment. The agents were told by Lord Dartmouth, that his majeſty had been pleaſed to receive it very graciouſly; and from its importance would lay it before his two houſes of parliament, as ſoon as they ſhould meet.

The following circular letter, however, will ſhew, with what ſort of faith the miniſtry acted; and that while they complied in an inſulting manner, even with the letter of the anſwer, they had determined it ſhould have no favourable effect.

(CIRCULAR.)

SIR, *Whitehall, January 4th*, 1775.

Certain perſons, *ſtiling themſelves delegates* of his majeſty's colonies in America, having preſumed, without his majeſty's authority or conſent, to aſſemble together at Philadelphia, in the months of September and October laſt; and having though fit, among other unwarrantable proceedings, to reſolve that it will be neceſſary, that another congreſs ſhould be held in the ſame place, on the 10th of May next, unleſs redreſs for certain *pretended grievances*, be obtained before that time, and to recommend that all the colonies in North America, ſhould chuſe deputies to attend ſuch congreſs. I am commanded by the king, to ſignify to you his majeſty's pleaſure, that you do uſe your utmoſt endeavours to *prevent any ſuch appointment of deputies*, within the colony under your government; and that you do exhort all perſons to deſiſt from ſuch unwarrantable proceedings, which cannot but be highly diſpleaſing to the king.

DARTMOUTH.

To his excellency Thomas Gage, Governor of the Maſſachuſetts Bay.

Thus the grievances repreſented in their petition to the throne, were declared to be *pretended*, by his majeſty's miniſters, previous to the petition's having been laid before the parliament, to the wiſdom and conſideration of which the royal anſwer had referred it. A higher inſult upon parliament, a proceeding of more treachery towards America, or of more injury to the character and dignity of government can hardly be conceived. It is impoſſible to imagine, that after ſuch a diſcovery the colonies can ever give credit to any propoſition that comes from men not only apparently bent upon their deſtruction,

* January 26.

ſtruction, but capable of attempting it by the baſeſt and moſt ſhameful duplicity. It ſhould be remembered, that the repreſentatives of the people, in their provincial aſſemblies, had petitioned over and over again for a redreſs of thoſe grievances, without the leaſt effect. Nay more; every governor had inſtructions to diſſolve their aſſemblies (which had, in ſundry inſtances, been executed) if they attempted to proceed upon their grievances. The people were therefore compelled, to chuſe deputies for a general congreſs where they might ſeek redreſs. The attempt to prevent this mode too of petitioning for redreſs, was endeavouring to take from them that, which is not denied to the moſt abject ſlaves on earth, the conſolation of complaint, and the hope of relief.

With the ſame views of conciliation, petitions were preſented from the common-hall of London, from the corporation of London, from the merchants and traders of London, from the Weſt-India planters and merchants, from Briſtol, Liverpool, Birmingham, Mancheſter Norwich, Leeds, Glaſgow, Nottingham, Dudley, Belfaſt and Waterford; from the Quakers; the aſſemblies of Jamaica, New York, and New-Jerſey, The prayer of theſe petitions was utterly rejected.

I have ſtated all theſe efforts towards reconciliation, that the reader may judge whether the miniſtry wanted *opportunity* or *inclination*, to accommodate this unhappy difference. Perhaps it will appear, when the whole of their proceedings are conſidered, that they not only reſiſted, inexorably, every conciliatory propoſition, but adopted every meaſure which they were aſſured would inevitably produce the fatal extremity we now lament. Time, I am afraid, will diſcover, that the ſecret motives of thus urging on a war with the colonies, were an implacable enmity againſt the Whig principles of the Americans, and a thirſt of revenge for the diſappointed views of arbitrary power, which nothing but the blood of that people can allay.

It is true, there were counter petitions from Nottingham, Birmingham, Leeds, Poole, Huddersfield, and Troubridge. I will make no comment on the number or reſpectability of theſe petitions. Dr Roebuck could, if he choſe it, inform the public; *how* and *from whom*, they were obtained. It is not the lighteſt imputation againſt thoſe who have for ſome years conducted government, that they have availed themſelves of the diſtreſſes of reſpectable men, to pervert their principles, and ruin their reputations; or, to uſe the more pointed expreſſion of Dr Johnſon, in his definition of a penſioner, to make them, "Slaves of ſtate, hired by a ſtipend to obey their maſter." Such a ſtate of public corruption is deplorable; and when it originates in the higheſt ſources of the kingdom, it is——deſperate.

Upon the ſubject of accommodation, it will be deemed partial to ſuppreſs the mention of Lord North's motion; becauſe it has been called conciliatory. I will give it word for word.

February 20. "That it is the opinion of this committee, that when the governor, council, and aſſembly, or general courts of his majeſty's provinces or colonies, ſhall propoſe to make proviſion according to their reſpective conditions, circumſtances, and ſituations, for contributing their *proportion* to the *common defence*; ſuch proportion

tion to be *raiſed* under the authority of the general court, or general aſſembly of ſuch province or colony, and *diſpoſable by parliament*; and ſhall engage to make proviſion alſo for the ſupport of the civil government, and the adminiſtration of juſtice in ſuch province or colony—it will be proper, if ſuch propoſal ſhall be approved by his majeſty in parliament, and for ſo long as ſuch proviſion ſhall be made accordingly, to *forbear*, in reſpect of ſuch province or colony, to *levy* any duty, tax, or aſſeſſment, except only ſuch duties as it may be expedient to impoſe for the regulation of commerce.

When this is held out as a conciliatory propoſition, it is neceſſary to conſider what redreſs it offers. For it is muſt be obvious to every one, that its tendency to *reconcile* can only be meaſured by its tendency to redreſs. Nor can any man be weak enough to imagine, that what does not profer *real relief*, can be productive of *real reconcilement*. Let us endeavour then, to find out what redreſs this motion promiſes.

The colonies had ſtated about twenty articles of grievances, of which they implored redreſs; declaring, at the ſame time, their unalterable reſolution, rather to endure the utmoſt extremity, than ſubmit to ſuch oppreſſion. Does this motion then propoſe to redreſs all or any of thoſe grievances?—Not one. Does it promiſe the repeal of all or any of thoſe acts, from which their grievances flow?—No, not one. Is any reſtraint on their trade to be removed, and the means of acquiring augmented, as the demands for contributions are increaſed?—Not an iota of it. "What then, my Lord," the American aſſemblies might ſay, "we are to diſſolve all union among ourſelves, and thus throw away our ſhield and our defence—we are to bid againſt each other, in the moſt diſgraceful manner, for our reſpective proportions—the meaſure of which proportions may be large or ſmall, as caprice may calculate, and enmity or arbitrary will exact—We are to provide for our own eſtabliſhment, the abſolute controul of which, that you have lately aſſumed, is one of our grievances—which will therefore open a door to places, ſinecures, riders, penſions, and ſalaries, meaſurable only by the poſſibility of extorting them from us: we are then to plunge into the bottomleſs abyſs of general ſupply; and though the people of Great Britain, having a conſtitutional check over the granting and adminiſtering the public money, are yet diſtreſſed by the extravagance and rapacity of public officers, we are to ſubmit our contributions to the ſame officers, without check or controul. Nor does the demand ſtop here; though the innumerable and idle reſtraints, injurjous to us and unprofitable to you, impoſed upon our trade, from part of our grievances, yet this conciliatory propoſition threatens us with more regulations of our trade, by which a probable revenue will be raiſed upon us, even after we have contributed *ad libitum*, with this ſingle conſolation, that the net amount, which net amount is to be ſtruck by you, unaccountable to and unexaminable by us, is propoſed to be carried to our credit: ſo that if the groſs ſum, thus levied upon us, were one million, you might credit us with one ſhilling, and perfectly comply with the terms of this propoſition. And yet, my Lord, you call theſe terms of conciliation,

ciliation, not of conqueſt; and pretend to offer them to our acceptance, not force them upon our neceſſities. But what is the boon or benefit that accompanies them? The contributions are to be collected by our authority.—This is the whole! and while we furniſh as much as will ſatisfy all your demands—what then? Infinite conſolation!—it will be proper to forbear to levy any further duty, tax or aſſeſſment, ſtill excepting ſuch duties as it may be neceſſary to impoſe for the regulation of trade; under which denomination you have ranged the very revenue act we now complain of. My Lord, if you are ſerious, tell us, for God's ſake, what harder conditions you could impoſe upon us if we were indeed *at your feet*, your proſtrate, abject, beaten ſlaves? They would even be rigorous from a lawleſs conqueror to a ſubdued people, becauſe they are endleſs and indefinite. What did the plunderer Pizaro ſay more to the helpleſs Montezuma? He demanded a ſpecific room full of gold and jewels. But they were to be collected by the emperor's authority, and upon compliance, he was to reſume his royalty. Your Lordſhip will anſwer, When one room was filled, he demanded another; the caſes are different.—Pardon us, my Lord, they are exactly the ſame. For what ſecurity have we, that when one hand of extortion is filled, the other will not be held out? Is it not within the terms propoſed? Are not you to judge, without any controul, of the *quantum?* Are not your ſtanding armies ſtill to be kept within our limits, your navy in our ports, the ſword at our throats, the cannon at our breaſts, the compulſory revenue act ſuſpended over our heads? In theſe circumſtances, is our will free, or controuled? Are they conditions, or commands? Will it be a grant, or an exaction?—An exaction, arbitrary, unlimited, without meaſure, and without mercy!"

Such is Lord North's conciliatory propoſitions; in which my diſcernment can develop nothing, but the weakeſt attempt imaginable, to delude this country, and divide that. Indeed, when it was propoſed in the houſe, even the houſhold troops, ſagacious and veteran as they are, were utterly confounded. Some faced one way, ſome another; ſome wheeled to the right, and ſome to the left, without order or direction, till the all-regulating voice of ther old general Sir Gilbert gave the word, when they inſtantly formed, as uſual, a hollow ſquare, impregnable to reaſon, truth and juſtice.

I cannot think ſo lightly of Lord North's judgment, as to imagine he expected his motion could be the foundation of reconcilement. Its effect could not poſſibly fail being the reverſe. The total injuſtice and unexampled ſeverity of it muſt drive them to deſpair. But it was neceſſary to hold out ſome deluſion. The complaiſance of the houſe of commons did not require much depth or deſign in the execution. His Lordſhip therefore produced a conciliatory propoſition, maintaining all the grievances of America, aſſerting an unlimited right to impoſe more, and devolving upon their aſſemblies the odious office of extorting endleſs contributions from the unhappy people, who had confided to them the guardianſhip of their lives and fortunes.

But I cannot do entire juſtice to the motion, without giving the anſwer to it by the Aſſembly of Virginia, at full length.

"We

" We cannot, my Lord, close with the terms of that resolution, for these reasons: Because the British parliament has no right to intermeddle with the support of civil government in the colonies. For us, not for them, has government been instituted here. Agreeable to our ideas, provision has been made for such officers as we think necessary for the administration of public affairs; and we cannot conceive that any other legislature has a right to preserve either the number or pecuniary appointments of our officers. As a proof that the claim of parliament to interfere in the necessary provisions for the support of civil government is novel, and of a late date, we take leave to refer to an act of our assembly, passed so long since as the thirty-second year of the reign of king Charles the Second, entitled, " An act for raising a public revenue, and for the better support of the government of this his Majesty's colony of Virginia;" this act was brought over by Lord Culpeper, then governor, under the great seal of England, and was enacted in the name of the King's most excellent Majesty, by and with the consent of the general assembly.

" Because to render perpetual our exemption from an unjust taxation, we must saddle ourselves with a perpetual tax adequate to the expectations, and subject to the disposal of parliament alone; whereas we have a right to give our money, as the parliament do theirs, without coercion, from time to time, as public exigencies may require. We conceive, that we alone are the judges of the condition, circumstances, and situation of our people, as the parliament are of theirs. It is not merely the *mode of raising*, but the *freedom of granting* our money, for which we have contended. Without this, we possess no check on the royal prerogative; and, what must be lamented by dutiful and loyal subjects, we should be stripped of the only means, as well of recommending this country to the favours of our most gracious sovereign, as of strengthening those bands of amity with our fellow-subjects, which we would wish to remain indissoluble.

" Because on our undertaking to grant money, as is proposed, the commons only resolve to forbear levying pecuniary taxes on us; still leaving unrepealed their several acts, passed for the purposes of restraining the trade, and altering the form of government of the northern colonies; extending the boundaries and changing the government and religion of Quebec; enlarging the jurisdiction of the courts of admiralty; taking from us the right of trial by jury, and transporting us into other colonies, to be tried for criminal offences. Standing armies too are still to be kept among us; and the other numerous grievances, of *which ourselves and sister colonies, separately, and by our representatives, in general congress, have so often complained, are still to continue without redress.*

" Because at the very time of requiring from us grants of monies, they are making disposition to invade us with large armaments, by sea and land; which is a stile of asking gifts not reconcileable to our freedom. They are also proceeding to a repetition of injury, by passing acts for restraining the commerce and fisheries of the provinces of New-England, and for prohibiting the trade of the other colonies with all parts of the world, except the islands of Great Britain, Ireland,

land, and the Weſt Indies. This ſeems to beſpeak no intention to diſcontinue the exerciſe of this uſurped power over us in future.

" Becauſe on our agreeing to contribute our proportion towards the common defence, they do not propoſe to lay open to us a free trade with all the world; whereas, to us it appears juſt, that thoſe who bear *equally* the *burthens* of government ſhould *equally participate* of its *benefits*. Either be contented with the *monopoly of our trade*, which brings greater loſs to us, and benefit to them, than the amount of our proportional contributions to the common defence; or, if the latter be preferred, relinquiſh the former; and do not propoſe, by holding both, to exact from us double contributions. Yet we would remind government, that on former emergencies, when called upon as a free people, however cramped by this monopoly, in our reſources of wealth, we have *liberally contributed to the common defence*. Be aſſured then, that we ſhall be generous in future as in paſt time, diſdaining the ſhackles of proportion, when called to our free ſtation in the general ſyſtem of the empire.

" Becauſe the propoſition now made to us involves the intereſt of all the other colonies. We are now repreſented in general congreſs by members approved of by this houſe; where our former union, it is hoped, will be ſo ſtrongly cemented, that no partial applications can pruduce the ſlighteſt departure from the common cauſe. We conſider ourſelves as bound in honour, as well as intereſt, to ſhare one general fate with our ſiſter colonies, and ſhould hold ourſelves baſe deſerters of that union to which we have acceded, were we to agree on any meaſures diſtinct and apart from them.

" There was indeed *a plan of accommodation*, offered in parliament, which, though not entirely equal to the terms we had a right to aſk, yet differed but in a few points from what the general congreſs had held out. Had parliament been diſpoſed *ſincerely, as we are, to bring about a reconciliation*, reaſonable men had hoped, that by meeting us on this ground, ſomething might have been done. Lord Chatham's bill, on the one hand, and the terms of the congreſs on the other, would have formed a baſis for negociation, which a ſpirit of accommodation on both ſides, might perhaps have reconciled. It came recommended too, from *one*, whoſe *ſucceſsful experience in the art of government*, ſhould have enſured to it ſome attention from thoſe to whom it was offered. He had ſhewn to the world, that *Great Britain with her colonies, united firmly* under a juſt and honeſt government, formed a power which might bid defiance to the moſt potent enemies. With a change of miniſters, however, a total change of meaſures took place. The component parts of the empire have, from that moment, been falling aſunder; and a total annihilation of its weight, in the political ſcale of the world, ſeems juſtly to be apprehended.

" Theſe, my Lord, are our ſentiments on this important ſubject; which we offer, only as an individual part of the whole empire. The final determination we leave to the general congreſs, now ſitting, before whom we ſhall lay the papers your Lordſhip has communicated to us. To their wiſdom we commit the improvementof this important advance. If it can be wrought into any good, we are aſſured they will do it. To them alſo we refer the diſcovery of that proper

method

method of repreſenting our well founded grievances, which you Lordſhip aſſures us, will meet with the attention and regard ſo juſtly due to them. For *ourſelves we have exhauſted every mode of application* which our invention could ſuggeſt as proper and promiſing. We have decently remonſtrated with parliament—they have added new injuries to the old. We have wearied our king with ſupplications—he has not deigned to anſwer us. We have appealed to the native honour and juſtice of the Britiſh nation—their efforts in our favour have been hitherto ineffectual. What then remains to be done? That we commit our injuries to the even-handed juſtice of that Being, who doth no wrong; earneſtly beſeeching him, to illuminate the councils, and proſper the endeavours of thoſe, to whom America hath confided her hopes; that, through their wiſe direction, we may again ſee reunited, the bleſſings of liberty and property, and the moſt permanent harmony with Great-Britain."

After having thus viewed every overture to real reconciliation, rejected by adminiſtration; let us ſee what ſteps were taken, in this eventful ſeſſions of parliament, to exaſperate former grievances, and add new.

On the 9th of February, the Americans were declared in rebellion, by an addreſs from both houſes of parliament, and an offer made of lives and fortunes, to ſupport the crown againſt all rebellious attempts.

In March and April bills paſſed, to prohibit the coloniſts from catching fiſh in the ſeas which waſh their own coaſts; and from trading with one another, or with any part of the world, but Great-Britain and the Britiſh Weſt-India iſlands.

Six thouſand land forces, with three of the beſt generals in the ſervice, a conſiderable reinforcement to the navy, and a large quantity of artillery and ammunition, were ſent to Boſton. Great induſtry was uſed to obtain, from the court of France and the ſtates of Holland, prohibitions againſt ſupplying the Americans with arms or ammunition. At the ſame time, miniſterial men, of the firſt rank, were put forward, in the two houſes of parliament, to aſſert that the Americans were the moſt abject poltroons, and would humble themſelves at the appearance of a Britiſh army. Theſe ſentiments were induſtriouſly propagated in the public papers, though all parts of the kingdom, and of Europe.

Every meaſure, on the part of Great Britain, omened the commencing war, and cutting ſhort the queſtion of right, by conqueſt.

In the addreſs, declarative of a rebellion in America, were theſe words: "that we ever have been, and always ſhall be, ready to *pay attention and regard* to any real grievances of any of his Majeſty's ſubjects, which ſhall in a dutiful and conſtitutional manner be laid before us; and whenever any of the colonies ſhall make a *proper* application to us, we ſhall be ready to afford them every *juſt and reaſonable indulgence.*" Inſtructions were ſent to the governors of ſeveral aſſemblies conformable to this declaration, informing the repreſentatives of the people that propoſitions from them ſhould be *attended to.* The houſe of repreſentatives at New-York applied accordingly

to the King and the two houſes of parliament. But their petition to the King received no anſwer, and their application to the two houſes was treated with triumphant contempt. The aſſembly of New-Jerſey tranſmitted alſo an humble petition to our moſt gracious Sovereign; which the ſecretary of ſtate refuſed to preſent.

Such was the good faith with which the miniſters made theſe declarations; and ſuch the attention they paid to the petitions founded upon them. The Americans ſoon perceived that while every hoſtile preparation was made for their deſtruction, every treacherous artifice was employed to render that deſtruction ſure, by diſuniting and deceiving them.

Men of ſimilar principles, almoſt at all times, uſe the ſame practices. Thus in 1640, the miniſters of Charles the Firſt told the commons that "if they would grant ſupplies, he would give a *gracious ear* to grievances, if they were juſt.*" The court lawyers extolled this condecenſion; but the people perceived, that parting with the means of obtaining redreſs, was the ſureſt way to prevent it. Nor had they then more reaſon, than the Americans have now, to put their truſt in the gracious diſpoſition of the court; or ſubmit the juſtice of their grievances to the opinion of arbitrary miniſters. One of Charles's ſycophants offered, with two thouſand men, to make all the Scots creep upon their bellies, to beg his majeſty's mercy; but the king and his miniſters, at the head of twenty one thouſand men, were ſoon obliged to treat with thoſe very Scots. We have heard ſimilar declarations reſpecting the Americans; and it is every day expected that news will arrive of Col. Grant, with a choſen body of Tories, having forced the provincial lines, and put them all to the ſword. Charles the Firſt ſaid, "It was only ſome vipers in the houſe of commons who occaſioned the ſeditious carriage of the lower houſe."† We have been told over and over again, by the miniſters and their informers, that it is only a faction in America, excited by thoſe vipers Hancock and Adams. And a late proclamation for ſuppreſſing rebellion and ſedition, tells us, "that the rebellion has been much promoted and encouraged by the traiterous correſpondence and counſels of divers wicked and deſperate perſons within this realm." I am perfectly perſuaded, that this is truth: for Bernard, Hutchinſon, and others, whoſe treacherous advice and correſpondence inſtigated and encourged the miniſtry to thoſe arbitrary meaſures which have excited a civil war in America, are now within this realm.

The act for preventing the Americans from catching fiſh, even for ſuſtenance, in the open ſea, waſhing their own coaſt, was founded on a violation of every principle of humanity, and of the eſtabliſhed law of nations. Vattell, an author of the higheſt authority, ſpeaks of it thus: "The right of navigation and fiſhing in the open ſeas, being a *right common to all mankind*, the nation that attempts to exclude another from that advantage, does an injury and gives juſt ground for war: Nature having authoriſed every people to repel an injury—

* Hiſtory of the Steuarts, page 147.
† Whitelock.

injury—that is to oppoſe by force, thoſe who attempt to deprive them of their right."*

What ſhall we think then of the principles or feelings of that man, who could declare, in the houſe of commons, that his only objection to the bill, was his fear that it would not ſtarve the people effectually? What ſhall we ſay of this man's being immediately promoted to be lord advocate of Scotland? Does it not mark an enmity and rancour in adminiſtration againſt America, in purſuing the gratification of which, humanity, juſtice policy, and even decency, are forgotten? It muſt have been in this ſavage ſpirit, that my lord North, as it is ſaid, declared in the houſe of commons, "that an utter ſtranger had entitled himſelf to his favour, by concurring with the meaſure againſt America."†

We cannot be ſurpriſed that violent meaſures ſhould enſue from violent paſſions; or that while all America, and half England is earneſtly imploring peace and reconciliation, the miniſtry ſhould remain inexorable, and purſue without remiſſion, the moſt offenſive and exaſperating plan.

The latter end of the winter, orders were ſent to General Gage, by the hands of Colonel Abercrombie, to march out of Boſton and begin the reduction of New-England. This is a circumſtance particularly to be regarded, becauſe it will ſhew that at the time of the affair of Lexington, where they have charged the Americans with commencing hoſtilities, general Gage had the orders of the miniſtry to act offenſively. Colonel Abercrombie had arrived ſome time before, and Colonel Abercrombie carried the orders.‡ In obedience to theſe commands, General Gage detached a part of his army, with great ſecrecy, on the 19th of April, to ſeize upon Hancock and Adams; and, as the Gazette acknowledges, to deſtroy ſome ſtores collected by the provincials at Concord. The march of a thouſand men in military array into the country, in the then anxious ſtate of men's minds and circumſtance of things, under the irritation of an army poſted and fortified in their capital town, could not but operate as an actual commencement of hoſtilities. The alarm ſpread immediately. The people aſſembled to defend themſelves, without concert or leaders. The king's troops encountered much inferior bodies of the Provincials at Lexington and at Concord; on both which, according to the affidavits of ſome of thoſe troops themſelves, *they fir'd firſt.*§ At length however they were obliged to retreat, being purſued to their intrenchments, tho' reinforced by a thouſand men and artillery under Lord Percy, with very great loſs in killed, wounded, and taken priſoners.

This was the commencement of the war. The Provincials immediately collected an army, drew lines and entrenchments about Boſton, in which they have ever ſince kept the regular army cloſely beſieged.

* Droit des gens, vol. I. page 229. † Parliamentary Regiſter.

‡ The orders arrived ſome days before the engagement; but perhaps Colonel Abercrombie carried the duplicate: of their previous arrival, however, I am certain.

§ See the affidavits of Lieutenant Gould, James Marr, and John Bateman, ſoldiers. Remembrancer.

In the mean time, the three generals, and the reinforcement from England, arrived at Boſton. But though they were now augmented to near ten thouſand men, ſtimulated by the want of forage and freſh proviſions, urged by their orders, and impelled by the ſhame of their former vaunting and their late defeat, ſtill they did not deem it prudent to march out and hazard an engagement. So much the amazement of the unexpected valour and activity of the Americans, with the remembrance of their former failure wrought on their minds. The Provincials however, approaching nearer and nearer, and having at length commenced an entrenchment upon an eminence called Bunker's hill, commanding Boſton, and within the reach of the ſhips and batteries; the regulars under the cover of theſe, attacked and drove the Provincials, from that poſt. But they did not venture to purſue them, having ſuffered ſo ſeverely in the action, that half of their men were killed and wounded, and two thirds of their officers. The Provincials loſt their commander, General Warren, with two colonels, and about 300 men. During the engagement, Charles-town, which was to Boſton what Southwark is to London, was ſet on fire by the king's troops, and totally conſumed. This was a meaſure of ſuch violence and miſchief, that it ſerved very much to encreaſe the irritation of America in general, which is not yet ſo uſed to war, as to comprehend how ſuch extremities can be juſtified. Another circumſtance previous to that, contributed to perſuade the people, that good faith as well as humanity was to be violated towards them. The inhabitants of Boſton having ſuffered great extremity from confinement and want of proviſions, offered to deliver up their arms, if General Gage would let them leave the town, with all their effects. The general agreed to it; they accordingly delivered up their arms, and then he refuſed to comply with his part of the agreement, or to reſtore their depoſit.

It is a ſettled rule, that the laws of war are to be obſerved, even with rebels. Henry the fourth of France, held them ſacred with his rebellious ſubjects; and the duke of Alva was compelled to do the ſame with the Dutch by the ſevereſt retaliations. It is not well to commence a war with acts of rage and violated faith. The boaſt of humanity is not executing thoſe, who in his affected phraſe, were deſtined to the cord, when there were ten times as many of his men priſoners for retaliation, will hardly cover the inhumanity and ill-faith of theſe notorious acts. It is not that General Gage's character ſuffers by ſuch unbecoming conduct, but that as he in ſome meaſure repreſents the nation, the national honour and character is wounded, and the minds of the Americans irritated, and alienated from all reſpect for their native country.

We have now conſidered the proceedings of adminiſtration, both in and out of parliament. We have ſeen, as far as intentions may be deduced from actions, a ſettled determination to draw the ſword againſt America. This is the main and ultimate argument of all thoſe, who aim at the eſtabliſhment of arbitrary power upon the ruin of public liberty. That ſuch is the purpoſe againſt the colonies, cannot be doubted. Elſe why this conſtant and contemptuous rejection

of

of every really conciliatory propoſition? Why ſuch an accumulation of grievances upon an already complaining people, and every hoſtile preparation made for impoſing them by military force? The Americans have ſolicited only to be reſtored to the ſituation they were in, at the end of the war. They were then ſubject to our ſupremacy, and ſubordinate in every thing but—taxation. The miniſtry have abſolutely refuſed to reſtore them to that ſtate. Therefore whatever they may ſay, it is impoſſible they can conſider the ſupremacy of parliament, or the ſubordination of the colonies, to be the real matter in conteſt; but the being taxed without their conſent, where they are not repreſented. I have already given my reaſons and opinion upon this point in my firſt appeal. It has too been much more ably treated by many others. There does not remain a ſpark of new light to be thrown upon the ſubject. I ſhall therefore, before I proceed to diſcuſs the policy of the meaſures moſt likely to be purſued, content myſelf with this obſervation of a learned hiſtorian on the queſtion of ſhip money. "There never was any thing more plain, in both law and reaſon, than that no man's property ſhould be taken from him, without his own conſent; and there was no difficulty in it, but what was occaſioned by the oppoſition of *intereſt and authority*, to *reaſon and law* *."

The late petition from the General Congreſs in America, with its ungracious reception, are too reſcent to require recapitulation. The colonies, as they themſelves declare, were determined to leave no meaſure untried, conſiſtent with their own immediate ſafety, that might poſſibly produce peace and reconciliation. It had been objected to their former petitions, that they aſſerted rights, and complained of grievances. In this petition they mention neither rights nor grievances. They only implore his majeſty, in his wiſdom, to ſignify ſome plan, by which the further effuſion of the blood of his ſubjects may be ſtopped; the united ſenſe of loyalty to him, and affection to the parent ſtate, may be taken in the colonies; and reconciliation be eſtabliſhed, upon an honourable, uſeful, and laſting foundation. What muſt the colonies think, when they underſtand, that this petition too has been utterly rejected, and every hoſtile preparation purſued? They muſt of courſe look forward to a determined war. It is impoſſible the miniſtry can mean any thing elſe but war. The next ſubject therefore of our conſideration will be—the policy of a war with our colonies.

A due conſideration of the policy of a war with our colonies, is of the laſt importance to the moſt eſſential intereſts of the empire. Even the miniſters who urge it, and the law-lord who, in conjunction with his noble countryman, ſecretly adviſes it, confeſs it is a perilious extremity, and big with conſequences of the greateſt moment and magnitude. But they plead the neceſſity of it. To my apprehenſion however, it appears inconceivable, that ſuch a neceſſity ſhould exiſt, as long as the united voice of America continues to implore peace, and reconcilement, and they are willing to return to that ſtate of ſubordination, which they held when theſe vexatious, and, I am afraid, ruinous

* Hiſtory of the Steuarts.

ruinous queſtions originated. Such are the terms of the two petitions, which the General Congreſs have preſented; and which, like a thouſand others from their aſſemblies have been unhappily fruitleſs.

To a nation, elevated as this is, to the ſummit of opulence and power, war is attended with unuſual hazard. Becauſe ſuch a nation in the event may fall, but cannot riſe. It is peace only that can balance her upon that envied point of pre-eminence. To a nation ſo circumſtanced, points of honour, imaginary points of honour, ought not to be a cauſe of war. Points of honour, did I ſay, nay nothing but the moſt eſſential points of intereſt, not otherwiſe to be maintained, can juſtify ſo hazardous a meaſure. That no ſuch eſſential intereſts are now in queſtion, that no ſuch unavoidable neceſſity exiſts, is I think clear to the commoneſt comprehenſion. However therefore they may be made the pretence, they aſſuredly are not the principle of the war. If the ſupremacy of this country, be that eſſential intereſt; let it be clearly proved that ſuch ſupremacy has been invaded and cannot be otherwiſe retrieved. If the collection of a revenue be the object, why have theſe very miniſters not only pledged themſelves, in the moſt ſolemn manner to America, that no more revenue laws ſhould paſs reſpecting her; but repeatedly declared, that ſuch a meaſure would be abſurd and impracticable?

Theſe ſentiments of adminiſtration, will fully appear, in the following circular letter, from the ſecretary of ſtate to the governors of the colonies; which letter muſt neceſſarily have been conſidered and conſented to, by the cabinet of his majeſty's oſtenſible miniſters, and is an act of ſtate.

"I can take upon me to aſſure you, notwithſtanding inſinuations to the contrary, from men with factious and ſeditious views, that his majeſty's preſent adminiſtration have at no time entertained a deſign to propoſe to parliament to lay any farther taxes upon America, for the purpoſe of raiſing a revenue; and that it is their preſent intention to propoſe, the next ſeſſion of parliament, to take off the duties upon glaſs, paper, and colours, upon conſideration of ſuch duties having been laid, contrary to the true principles of commerce. Theſe have always been and ſtill are the ſentiments of his majeſty's preſent ſervants, and by which their conduct, with reſpect to America, has been governed; and his majeſty relies upon your prudence and fidelity for ſuch an explanation of his meaſures, as may tend to remove the prejudices which have been excited by the miſrepreſentations of thoſe who are enemies to the peace and proſperity of Great Britain and her colonies; and to re-eſtabliſh, that mutual confidence and affection upon which the *glory and ſafety of the Britiſh empire depends.*"

HILLSBOROUGH.

If duties impoſed for the purpoſe of revenue, were contrary to the true principles of commerce; ſurely a war, in ſupport of thoſe impoſitions, muſt be the laſt of abſurdities. If the glory and ſafety of the Britiſh empire, depend upon the re-eſtabliſhment of mutual confidence and affection; ſurely war is an aukward and unpromiſing mode of obtaining ſuch an end. Nor would it be leſs prepoſterous to wage war for vindicating a ſupremacy, that has always been acknowledged. Laſt year the colonies deſired to be reſtored to the condition in which the concluſion of the late war left them. The navigation acts, and twenty other ſtatutes, aſſerting and exerciſing our ſupremacy, were then in full force, and undiſputed operation. Governor Bernard himſelf declared, that infringements of them, "when detected were ſurely puniſhed *." It was under this ſubordination that a foreign writer † of the firſt reputation was of opinion that Great Britain enjoyed all the power over them ſhe ought to deſire. She had a negative on all her laws. The executive power was entirely in the hands of her delegates. There was an appeal to her from all their civil courts. All their commercial movements were in her arbitration. "To increaſe the yoke, ſays he of a domination ſo wiſely framed, would be to plunge the continent anew into that diſorder, from which they have hardly extricated themſelves by two centuries of continual labour and hardſhips. It would be to compel the induſtrious labourers who have cleared it, to arm in defence of thoſe ſacred rights, which they hold equally from nature and ſociety. The people of England, a people ſo devoted to liberty, who have ſome times protected it, in regions unallied to them, can they forget thoſe principles which their glory, their virtue, their feelings, their ſafety render an eternal glory? Will they betray thoſe rights, which are ſo dear to themſelves, ſo far as to contribute to reduce their brothers to ſlavery? If however it ſhould happen, that ſome incendiary ſpirits ſhould deviſe *ſo fatal* a meaſure, and in ſome *moment of madneſs*, ſhould have it adopted to Great Britain, what ought to be the conduct of the colonies, to prevent their falling under the moſt odious ſervitude.

What muſt this writer think of the madneſs of the times, in which there are not only incendiary ſpirits to deviſe ſo fatal a meaſure, and have it adopted; but in which a war is meditated, at the expence of our preſent, and the hazard of our future commerce, to carry that fatal meaſure into execution? What muſt he think of this, at the moment in which the colonies have declared, they do not deſire an accommodation, that may be, in any degree, inconſiſtent with the intereſts and dignity of Great Britain? When they have beſought this country to propoſe its own terms of conciliation; and give them the opportunity, they ardently wiſh for, of teſtifying their zeal and gratitude, as loyal ſubjects and affectionate coloniſts ‡?

Under theſe circumſtances, it is moſt manifeſt, that *ſubordination* cannot be the object of theſe meaſures, though *ſlavery* may. Yet to ſome it ſeems difficult to comprehend, how arbitrary power can ariſe to

* Select Letters, p. 2. † Hiſtoire des Indes.
‡ See their laſt petition to the throne.

to the crown, by making the authority of parliament abſolute over America. But ſuch difficulty will ſoon be removed, by recollecting how often our kings have exerciſed arbitrary ſway, through the mediation of parliaments. The reigns of Richard II. of Henry VIII. and of Charles II. abound with inſtances: Lord Bolingbroke therefore obſerves, with perfect propriety, that, " whether the will of the prince becomes a law, by force of *prerogative* and independently of parliament; or whether it be made ſo on every occaſion by the *concurrence of parliament*; *arbitrary power* is *alike eſtabliſhed*. The only difference lies here: Every degree of this power, which is obtained without parliament, is obtained againſt the forms, as well as againſt the ſpirit of the conſtitution; and muſt therefore be obtained with difficulty, and poſſeſſed with danger. Whereas, in the other method of obtaining and exerciſing this power, by and with parliament, the progreſs is eaſy and ſhort; and the poſſeſſion of it ſo far from being dangerous, that liberty is diſarmed, as well as oppreſſed, by this method. That part of the conſtitution, which was inſtituted to oppoſe the encroachments of the crown, the mal-adminiſtration of men in power, and every other grievance, being influenced to abet theſe encroachments, to ſupport this mal-adminiſtration, and even to concur in impoſing the grievances*."

Through the intervention of parliament is therefore the moſt ſafe and ſure mode of eſtabliſhing arbitrary power in the crown. By that medium it is not only compaſſed with more plauſibility and eaſe, but exerciſed with more abſolute ſway and ſecurity, From hence it may appear, that the adviſers of thoſe meaſures have acted with deeper ſagacity than ſuperficial obſervers would ſuſpect. Such being plainly the principle. and ſuch the purpoſe of this war; what policy can move the nation to eſpouſe it? Every motive of humanity, juſtice and intereſt call for conciliation. Theſe very miniſters have told us, that the glory and ſafety of the Britiſh empire depend upon that mutual confidence and affection between the colonies and the parent ſtate, which war muſt inevitably deſtroy. The ſenſible and ſurely impartial foreigner I juſt quoted, tells us, that the very principles of our conſtitution are wounded by this war. That we cannot attempt to increaſe the power we before poſſeſſed, without violating every principle of policy, and every ſacred duty of virtue and juſtice. He has forewarned us, that ſuch an attempt would force the American peaſant to turn ſoldier in his own defence; and involve the whole continent in confuſion. We have ſeen this come exactly to paſs. The moment General Gage's army marched out in hoſtile array, and commenced hoſtilities at Lexington and Concord; the peaſantry poured in, like a thouſand ſtreams, to overwhelm them. A powerful army was immediately formed; and at this moment, the colonies, which, before that attack, had not a ſingle regiment in the field, have more than an hundred thouſand men in arms. To ſubdue theſe, and all the reſt, whom the ſame enthuſiaſm of liberty, and the defence of all that is dear and ſacred to men, may call forth, is the immediate taſk of the war, upon the policy of which we are now deliberating.

Let

* Political Works, vol. 2.

Let us fully and candidly examine, then, what force, by ſea and land, this war will require, what expence will be incurred by that force, what we ſhall loſe in the revenue and commerce during the continuance of the war, and what we may poſſibly obtain, or poſſibly loſe by the ultimate event.

The concluſion from theſe conſiderations, duly weighed, will, I conceive, be ſound and deciſive, whether it be for war, or for peace and reconcilement. The queſtion is great. A greater never before called for our attention. The fate of empires hangs upon it. The proteſtant religion, the Britiſh conſtitution, the proſperity, the opulance, the exiſtence of Great Britain, depend on the iſſue. Let us then give it that attention, which its high importance merits.

The armament of laſt year againſt America, was ten thouſand ſoldiers, and three thouſand ſeamen. It was then ſuppoſed, the Americans would not reſiſt. The event has proved they will. That armament is half conſumed, without affecting a ſingle thing of any conſequence. I have converſed with no officer on the ſubject, who thinks a main army of leſs than thirty thouſand men, with an adequate train of artillery, ten thouſand men for the ſouthern part of the continent, and ten thouſand ſeamen including marines, can open the campaign with any poſſibility of ſucceſs. This eſtimate I purpoſely ſtate as low as poſſible.

	£.
Forty thouſand land forces will be	1,000,000
Ordnance ſervice	500,000
Tranſport ſervice	600,000
Ten thouſand ſeamen including marines	600,000
Staff and hoſpital	70,000
Building and repairs of ſhips	100,000
Forage, bread, and other contingencies for the fleet and army	1,000,000
Extra expence	600,000
Total for the American war	4,470,000

It muſt be remembered, that the peace eſtabliſhment, together with the intereſt of the national debt, entirely exhauſts the preſent ſupplies; that the ſinking fund is almoſt emptied; that the debt already incurred for the war we have carried on with America, cannot be leſs than two millions; and that the neceſſities of the civil liſt will call this year for half a million. At the loweſt computation then, if we are to continue this war, the additional expence of the enſuing year will be ſeven millions, which muſt be provided for, by additional taxes. Let us then conſider, what we ſhall loſe in revenue and commerce, during the continuance of an increaſe of taxes, to furniſh the extraordinary ſupplies for this unnatural war. Mr Glover, whoſe knowledge and accuracy is undoubted, eſtimates the revenue ariſing from North America, actually received, at three hundred thouſand pounds *per annum*. Beſides this, the taxes, which are involved in the price of the manufactures we furniſh them, and which muſt fail with the failure of our

to the crown, by making the authority of parliament abſolute over America. But ſuch difficulty will ſoon be removed, by recollecting how often our kings have exerciſed arbitrary ſway, through the mediation of parliaments. The reigns of Richard II. of Henry VIII. and of Charles II. abound with inſtances: Lord Bolingbroke therefore obſerves, with perfect propriety, that, " whether the will of the prince becomes a law, by force of *prerogative* and independently of parliament; or whether it be made ſo on every occaſion by the *concurrence of parliament*; *arbitrary power* is *alike eſtabliſhed*. The only difference lies here: Every degree of this power, which is obtained without parliament, is obtained againſt the forms, as well as againſt the ſpirit of the conſtitution; and muſt therefore be obtained with difficulty, and poſſeſſed with danger. Whereas, in the other method of obtaining and exerciſing this power, by and with parliament, the progreſs is eaſy and ſhort; and the poſſeſſion of it ſo far from being dangerous, that liberty is diſarmed, as well as oppreſſed, by this method. That part of the conſtitution, which was inſtituted to oppoſe the encroachments of the crown, the mal-adminiſtration of men in power, and every other grievance, being influenced to abet theſe encroachments, to ſupport this mal-adminiſtration, and even to concur in impoſing the grievances*."

Through the intervention of parliament is therefore the moſt ſafe and ſure mode of eſtabliſhing arbitrary power in the crown. By that medium it is not only compaſſed with more plauſibility and eaſe, but exerciſed with more abſolute ſway and ſecurity, From hence it may appear, that the adviſers of thoſe meaſures have acted with deeper ſagacity than ſuperficial obſervers would ſuſpect. Such being plainly the principle. and ſuch the purpoſe of this war; what policy can move the nation to eſpouſe it? Every motive of humanity, juſtice and intereſt call for conciliation. Theſe very miniſters have told us, that the glory and ſafety of the Britiſh empire depend upon that mutual confidence and affection between the colonies and the parent ſtate, which war muſt inevitably deſtroy. The ſenſible and ſurely impartial foreigner I juſt quoted, tells us, that the very principles of our conſtitution are wounded by this war. That we cannot attempt to increaſe the power we before poſſeſſed, without violating every principle of policy, and every ſacred duty of virtue and juſtice. He has forewarned us, that ſuch an attempt would force the American peaſant to turn ſoldier in his own defence; and involve the whole continent in confuſion. We have ſeen this come exactly to paſs. The moment General Gage's army marched out in hoſtile array, and commenced hoſtilities at Lexington and Concord; the peaſantry poured in, like a thouſand ſtreams, to overwhelm them. A powerful army was immediately formed; and at this moment, the colonies, which, before that attack, had not a ſingle regiment in the field, have more than an hundred thouſand men in arms. To ſubdue theſe, and all the reſt, whom the ſame enthuſiaſm of liberty, and the defence of all that is dear and ſacred to men, may call forth, is the immediate taſk of the war, upon the policy of which we are now deliberating.

Let

* Political Works, vol. 2.

Let us fully and candidly examine, then, what force, by ſea and land, this war will require, what expence will be incurred by that force, what we ſhall loſe in the revenue and commerce during the continuance of the war, and what we may poſſibly obtain, or poſſibly loſe by the ultimate event.

The concluſion from theſe conſiderations, duly weighed, will, I conceive, be ſound and deciſive, whether it be for war, or for peace and reconcilement. The queſtion is great. A greater never before called for our attention. The fate of empires hangs upon it. The proteſtant religion, the Britiſh conſtitution, the proſperity, the opulance, the exiſtence of Great Britain, depend on the iſſue. Let us then give it that attention, which its high importance merits.

The armament of laſt year againſt America, was ten thouſand ſoldiers, and three thouſand ſeamen. It was then ſuppoſed, the Americans would not reſiſt. The event has proved they will. That armament is half conſumed, without affecting a ſingle thing of any conſequence. I have converſed with no officer on the ſubject, who thinks a main army of leſs than thirty thouſand men, with an adequate train of artillery, ten thouſand men for the ſouthern part of the continent, and ten thouſand ſeamen including marines, can open the campaign with any poſſibility of ſucceſs. This eſtimate I purpoſely ſtate as low as poſſible.

	£.
Forty thouſand land forces will be	1,000,000
Ordnance ſervice	500,000
Tranſport ſervice	600,000
Ten thouſand ſeamen including marines	600,000
Staff and hoſpital	70,000
Building and repairs of ſhips	100,000
Forage, bread, and other contingencies for the fleet and army	1,000,000
Extra expence	600,000
Total for the American war	4,470,000

It muſt be remembered, that the peace eſtabliſhment, together with the intereſt of the national debt, entirely exhauſts the preſent ſupplies; that the ſinking fund is almoſt emptied; that the debt already incurred for the war we have carried on with America, cannot be leſs than two millions; and that the neceſſities of the civil liſt will call this year for half a million. At the loweſt computation then, if we are to continue this war, the additional expence of the enſuing year will be ſeven millions, which muſt be provided for, by additional taxes. Let us then conſider, what we ſhall loſe in revenue and commerce, during the continuance of an increaſe of taxes, to furniſh the extraordinary ſupplies for this unnatural war. Mr Glover, whoſe knowledge and accuracy is undoubted, eſtimates the revenue ariſing from North America, actually received, at three hundred thouſand pounds *per annum*. Beſides this, the taxes, which are involved in the price of the manufactures we furniſh them, and which muſt fail with the failure of our

exports, cannot be eſtimated at leſs than one million. The nett revenue ariſing from duties and exciſe on Weſt India productions, is ſeven hundred thouſand pounds, half of which cannot but fail in conſequence of this diſpute. Your exports to North America were three millions *per annum*, which were paid for in raw materials, that trebled their value upon being manufactured, and entered deeply into the whole ſyſtem of your manufactures and commerce.

Upon this eſtimate then, obſerve what muſt be your over-taxed and ruined ſituation.

	£.
Additional ſupplies for the year 1776 ———	6,470,000
Deficiencies in the revenue — —	1,650,000
Total equivalent to an actual increaſe in taxes of	8,120,000
If we add to this the ſupplies for the current ſervice of the year which amount to ———	11,000,000
The ſum total will be —	19,120,000

This ſum far exceeds the burthen of any year during the laſt war. The ruinous conſequences of it are plain and inevitable. There is no man in his ſenſes, who can ſit ſeriouſly down, and ſhew by what reſources, we can ſupply ſuch an enormous demand. It is abſolute inſanity to ſuppoſe our funds and our credit will ſurvive the ſhock. Nor is it more rational to ſuppoſe, that a leſs force will ſuffice; or that ſuch force can be ſupported at leſs expence. Indeed the miniſters have already thrown out in parliament, that forty thouſand men will be requiſite. A leſs number would be an army of inability and irritation. Nor have I indeed an idea that ſuch a force, though formidable, will be effectual. It may check, but it cannot conquer America. A war at more than three thouſand miles diſtance, againſt an enemy we now find united, active, able, and reſolute; where every foot of ground is to be won by inches, and at the ſame fatal expence with Bunker's-hill; in a country where faſtneſs grows upon faſtneſs, and labyrinth on labyrinth; where a check is a defeat, and a defeat is ruin—it is a war of abſurdity and madneſs. We ſhall ſooner pluck the moon from her ſphere, than conquer ſuch a country. But when we conſider all its circumſtances; that ſuch a war is to be waged by a nation ſo exhauſted of men, that we are obliged to hire foreigners; ſo overburthened with debt, that we are ſinking under its weight; divided and diſtracted among ourſelves, while they are knit together, like a ſtrong man, with one ſpirit of enthuſiaſtic liberty, one ſenſe of grievance, and univerſal deſperation; I know not with what name of folly and infatuation to brand the attempt. It is agreed that the grand American army will amount to fifty thouſand choſen men, led by experienced generals, animated by every motive that can inſpire undaunted and heroic valour, diſciplined to all the advantages of the country, comforted and confirmed by every aſſiſtance which the attachment, the intereſt, the zeal of the inhabitants can miniſter, and capable of being recruited or reinforced with the utmoſt facility.

Againſt

Againſt this army we are to contend, under every poſſible diſadvantage. Our generals unacquainted with the particular country, our ſoldiers unanimated, I will not ſay diſguſted, by the nature of the ſervice, embarraſſed by the natural obſtacles of an impracticable country, harraſſed and diſtreſſed by an irritated, hoſtile peaſantry, recruiting difficult, reinforcement impoſſible. Under theſe inſuperable obſtacles, what can enſue from the attempt, but rout and ruin? Will the miniſtry ſtate to us a plan? I do not require that it ſhould be practicable, let it only be plauſible. Till that is done, we ſhall be warranted to retort upon adminiſtration, General Gage's charge againſt the Provincials; and called the attempt, an act of phrenzy.

But diſappointment and defeat are not the only, nor the worſt conſequences. The total loſs of America follows inevitably. For can any man in his ſenſes ſuppoſe, that when they have foiled our utmoſt attempts to ſubdue them, they will be longer ſubordinate? When once we put it to the iſſue of force, whether they ſhall be ſubject *in all caſes* whatſoever, the event will determine whether they will be ſo *in any caſe* whatſoever. The whole of our power muſt be put to the hazard. Let us then next examine what we may loſe. We muſt loſe the monopoly of her commerce. A viſionary dean, more mercenary, I ſuſpect, than mad, has endeavoured to perſuade us, that this loſs will be no material injury. I ſhall take no further notice of him than to ſay, that his performance proves him to be utterly ignorant of every fact, that ſhould govern the judgment in deciding upon ſo great a queſtion. Without troubling, therefore, the reader or myſelf any further with ſuch pretenders to political knowledge, I beg to call the attention of the public to the well-weighed, ſterling ſentiments of Lord Chatham.

" When I had the honour of ſerving his majeſty, ſays he, I availed myſelf of the means of information derived from my office. I ſpeak therefore from knowledge. My materials were good. I was at pains to collect, to digeſt, to conſider them; and I will be bold to affirm, that the profit to Great Britain from the trade of the colonies, through all its branches, is two millions a year. *This* was the *fund*, that carried you triumphantly through the *laſt war*. The eſtates which were rented at two thouſand pounds a year, threeſcore years ago, are at three thouſand pounds at preſent. Thoſe eſtates ſold then from fifteen to eighteen years purchaſe. The ſame may be ſold now for thirty. You *owe this to America*. This is the *price America pays* to you for *her protection**." A profit of two millions a year then, is what we muſt loſe. We are plunging into this war, not only without the fund that carried us triumphantly through the laſt; but for the deſtruction of that fund. What will the landed gentlemen think of four or five ſhillings in the pound, entailed upon their eſtates for ever? Yet what elſe can compenſate for the deficiency of two millions? It is inevitable. On the land muſt the burthen ultimately fall. There is no other equally permanent ſubject of taxation. The landed gentlemen then will do well to conſider maturely the following words of Mr Locke; " The decays that come upon, and bring to ruin any

country

* Mr Pitt's ſpeech on the ſtamp-act.

country, do conſtantly firſt fall upon the land; and though the country gentleman is not very forward to think ſo, yet this nevertheleſs is an undoubted truth; and that he is more concerned in trade, and ought to take greater care that it be well managed and preſerved, than even the merchant himſelf."

But this loſs to us, is not the only miſchief. Our rivals and enemies, the Spaniards and French, muſt gain, in a great meaſure, what we loſe. We ſhall therefore ſtrengthen them, as we weaken ourſelves. The immenſe profit of being the carriers for America, will ceaſe with the abolition of the navigation acts; the policy of which was to take it from the Dutch, and ſecure it to us. It will in a great meaſure revert to its old channel; and enrich the States, by the impoveriſhment of Great Britain.

But let us hear Mr Glover, who has traced our commerce through all her windings and dependencies, with a ſagacity and ſucceſs, which render his knowledge unequalled. After having accurately ſtated the facts, he ſays, "from this ground ſee what we put in hazard, not merely a monied profit, but our bulwark of defence, our power in offence, the arts and induſtry of our nation. Inſtead of thouſands and ten thouſands of families in comfort, a navigation extenſive and enlarging, the value and rents of land yearly riſing, wealth abounding and at hand for further improvements, ſee, or foreſee, that this third of our whole commerce, that ſole baſis of our whole empire, and this third in itſelf the beſt, once loſt, carries with it a proportion of our national faculties, our treaſure, our public revenue, and the value of land, ſucceeded in its fall by a multiplication of taxes to re-inſtate that revenue, an increaſing burden on every decreaſing eſtate, decreaſing by the reduced demand of its produce for the ſupport of manufacture and manufacturers, and menaced with a heavier calamity ſtill, the dimunition of our marine, of our ſeamen, of our general population, by the emigrations of uſeful ſubjects, ſtrengthening that very country you wiſh to humble, and weakening this in the ſight of rival powers, who wiſh to humble us."

If then the wiſdom of Mr Locke is not folly, if the information of Lord Chatham is not ignorance, if the laborious reſearches of Mr Glover are not errors, the conſequence of a war with our colonies is inevitably ruinous.

But the meaſure of our misfortunes, and of our folly, is not yet full. It is not the mere loſs of this fund of two millions annually and of ſo great a part of our commerce with all its conſequences, it is not the transfer of it to augment the trade, the marine, and the riches of our rivals, that gives an adequate idea of what we are to loſe by this infatuated war. We are to loſe a fund increaſing, as our wants increaſe; and an exact proportion to the growth and population of America.

Mr Burke, whoſe reſearches have thrown irreſiſtible light upon this ſubject, has ſtated it thus from the evidence of indubitable facts.*

In

* Speech in 1775.

In the year 1704.	£.
Exports to North America and the Weſt Indies —	483,265
Ditto to Africa —— ——	86,665
Total — —	569,930

In the year 1772.	£.
Exports to North America and the Weſt Indies —	4,791,734
To Africa — — —	866,398
To which if you add the trade to Scotland which, in 1704, had no exiſtence — —	364,000
Total — —	6,024,171

From five hundred and odd thouſands, it has grown to ſix millions. It has increaſed no leſs than twelve fold. This is the ſtate of the colony trade, as compared with itſelf at theſe two periods, within this century, and this is matter for meditation. But this is not all. Examine my ſecond account. See how the export trade to the colonies alone in 1772 ſtood in the other point of view, that is as compared with the whole trade of England in 1704.

	£.
The whole export of England including the colonies in 1704 — — —	6,509,000
Export to the colonies alone in 1772 ——	6,024,000
Difference — —	485,000

Thus the trade with America, has increaſed nearly to an equality with what the great commercial nation, England, carried on, at the beginning of this century, with the whole world. We are not only to ſacrifice an immediate fund of infinite value, but ſuch a fund as no nation ever before poſſeſſed, an increaſing trade, teeming with every benefit and bleſſing that can make a people rich, proſperous, and powerful. Are we then in our ſenſes, or are we not? See the ſum of our folly and infatuation. An indefinite augmentation of the national debt—an increaſe of taxes beyond all former example—a dimunition of commerce to an actual third of the whole, and that third the only increaſing part, and influencing very materially all the reſt—a depreciation of eſtates in proportion to the dimunition of commerce and the increaſe of taxes—the ſacrifice of a capital part of the revenue, with the beſt ſource of naval ſtores, and a great nurſery of ſeamen.

Theſe are the immediate and unavoidable conſequences of this war. The miniſtry are bold in their ignorance. They acknowledge they have hitherto been miſled. I am afraid we ſhall never ſee them lead right. I ſtated my facts and my computations. Let any one who can, controvert them. The concluſions are indiſputable, they are inevitable. The calculation of additional expence, is purpoſely ſtated at the loweſt. I would not exaggerate. The moſt favourable ſide is tenderneſs. I have made no additional charge for victualling

and

and recruiting, in a ſituation in which the uſual expence muſt be trebled. I have not ſwelled the account with the almoſt incomputable expence of tranſporting a Ruſſian army from Peterſburgh to Portſmouth, and from Portſmouth to America. Not a word have I ſaid of embodying the militia, which however will certainly take place, at the expence of more than half a million.* I have not heightened the picture with manufacturers ſtarving—poor's rates increaſing—inſurrections and commotions over the whole kingdom. Nature will have its way; and when popular diſcontents ariſe from the feelings and ſufferings of the people, it is not an embodied militia that will prevent the dreadful conſequences. We are waging war with reaſon, and with heaven. We muſt break down the barriers of nature before we can ſucceed. And what are to be the fruits even of our ſucceſs? Will deſolated cities, and depopulated provinces, be fit ſubjects of trade or of navigation? Will they contribute to our neceſſities either by revenue or commerce? If to alleviate the burthens of this nation be the end of this war: the means are directly deſtructive of the end. Unaccountable infatuation!

But honour pricks us on. We are to ſeek the bubble Reputation even in the cannon's mouth. Let us not deceive ourſelves. Our honour is already loſt. When we went all over Europe, begging for aſſiſtance to ſubdue that very people whom we juſt repreſented as the moſt abject cowards; our honour was no more. The miniſtry have held the Britiſh lion up, ſhorn of his ſtrength, diſmantled of his honours, in irritable impotency. The Ruſſian bear is henceforth to lead the chace, and help him to his prey.

Let us then ſuppoſe a conſpiracy happily formed, between the two imperial crowns, againſt the common rights of mankind. Let us ſuppoſe, in conſequence of it, an army of thirty thouſand Ruſſians ſafely landed in America. Let every ſtep they take be marked with deſolation and with blood. Let the cities, towns, villages, plantations, and all that the unceaſing hand of induſtry and toil has for centuries been calling forth from a ſavage wilderneſs, be ſmoking in one common ruin. While the miniſtry and their Scotch ſupporters, are hanging over the ſcene of cruelty till they are glutted; can Engliſhmen help aſking, whoſe blood is this; whoſe colonies are thus deſtroyed; who are to pay for this devaſtation and ruin. It is Engliſh blood; they are Engliſh colonies; England muſt pay. Ought we then to acquieſce in ſuch meaſures, ought we to approve, ought we to aid them. But when the Ruſſian army has conquered America, how are we to take that conqueſt from them? Is there no danger of their keeping what they have conquered? Is human nature ſo changed, that no example ſhould ever again occur of what hiſtory ſo often furniſhes?

When we talk of honour, let us compare the conduct of America, with our own. I do not wiſh to draw odious compariſons. In my opinion the hearts of the people are not with the preſent proceedings. It is a miniſterial war, influenced and inſtigated by Scotch counſels. After having ſolicited all Europe not to aſſiſt the Americans, we are now

* A vote for this purpoſe has ſince paſſed the Houſe of Commons.

now moſt humble petitioners at every court, to aſſiſt us. We are ready to arm and to reward any hand, that will aim the inſtrument of death at the heart of an American.

On the contrary, the Americans have truſted to their own arms for their defence againſt the miniſterial armaments and machinations. While the miniſtry have purſued every deſperate, and deſtructive meaſure by called in other nations, and even Roman Catholics, for their ruin; they are ſtill earneſtly deſirous of reconciliation, and therefore, averſe to take a ſtep which muſt render that reconcilement impracticable, have delayed the calling in any foreign aid to this moment.* While the miniſtry are giving two guineas and an half bounty, indiſcriminately, to every creature that will enliſt; while rewards and encouragements are held out in the public papers to the Iriſh Roman Catholics to tempt them into the army, while Canadians, Indians, Heſſians, Hanoverians, Ruſſians and every animal of blood is conjured into this murderous ſervice; hear the orders of the adjutant general to the American army. "You are not to enliſt any deſerter from the miniſterial army, nor any ſtroller, negroe, or vagabond, or perſon ſuſpected to be an enemy to the liberty of America, nor any under eighteen years of age. You are not to enliſt any perſon who is not an American born, unleſs ſuch perſon has a wife and family, and is a ſettled reſident in this country.

Given at the head quarters at Cambridge, this 10th day of July, 1775.

HORATIO GATES, *Adjutant General.*"

To what can this very marked difference in the means of getting men to carry on this war be imputed? To the principle of the war alone; for in every other reſpect the facility ſhould be ten fold greater in the miniſterial party. It is, that on the American ſide the cauſe is deemed the beſt that can engage men of property and principle to take up arms; while on the other ſide, a general abhorrence of the buſineſs throws an inſuparable damp upon the ſervice. While the Americans therefore have their choice at home, the miniſtry are obliged to look abroad for aſſiſtance; and at length to apply to the unfeeling Ruſſian. The Ruſſian does not enquire about the purpoſe, but the pay. Tempt him only with that, and he is your ſervant, what bloody buſineſs ever. Yet even this ſavage may be wrought upon by the ſituation of America; and may feel that to be free, or join thoſe who are fighting for freedom, and property, is preferable to

* When hoſtilities were commenced, ſay they, in their addreſs to us, when on a late occaſion, we were wantonly attacked by your troops, though we repelled the aſſault, and returned their blows, yet we lamented the wounds they obliged us to give; nor have we yet learned to rejoice at a victory over Engliſhmen.

His Majeſty's moſt gracious ſpeech aſſures us, that among the many unavoidable ill conſequences of this rebellion, none affects him more ſenſibly, than the extraordinary burthen which it muſt create to his faithful ſubjects.

The Congreſs declare that nothing but "neceſſity ſhall drive them to excite any other nation to war againſt Great Britain." The ſpeech ſays, I have the *ſatisfaction* to inform you, that I have received the moſt friendly offers of foreign aſſiſtance, and we know that every effort has been uſed to procure thoſe offers, and obtain a foreign army for the deſtruction of the colonies.

to the unprofitable, ſlaviſh, and ſanguinary profeſſion of a Ruſſian ſoldier.

Let any one candidly conſider who they are that ſhew themſelves moſt eager and aſſiduous in promoting this unnatural war. Are they not the Torries, Jacobites, and Scotch. Do not men of this deſcription ſet themſelves oſtentatiouſly forward, both in and out of parliament, in urging us to extremities, and preventing all accommodation? *They* ſee it is the *old cauſe*, though *we* cannot. They ſee that the extinction of Whig principles in America, will be a ſure means of ſilencing them here, and render Toryiſm triumphant. There are no means too hazardous and too deteſtable, for them to employ to this end. Should they ſucceed, the conſtitution of this country would be no more. Yet theſe are the men who pretend to be moſt anxious for the dignity of Great Britain. Theſe are the men who would preſuade us, that our liberties are not concerned in the queſtion. Princes, and the miniſters of princes, have ever cloathed their tyrannical intentions, with profeſſing regard for the rights and welfare of the people. Before we are dupes of ſuch ſhallow artifices, let us remember that the preſent pious king of Sweden, the very moment he ſet his foot on the free conſtitution of his country and rendered himſelf deſpotic, called God as a witneſs to his ſacred regard for the public liberty, and that he could have no intereſt ſeparate from that of his people. Of *his* ſincerity we can have no doubt.

This war then threatens us, not only with a dimunition of our commerce and revenue, an increaſe of taxes, and the moſt dangerous commotions; but it ſaps the very foundation of conſtitutional liberty. For if the ſword once ſubdues a third of the empire to the abſolute will of the crown, under the auſpices of a corrupt and ſervile parliament, it will not be long before the whole is reduced under the ſame domination. Should any one doubt of there being any ſuch intention againſt our liberties, let them examine the doctrines lately promulgated, under great patronage, by Dr Johnſon and Mr Weſley. If he can find any difference between them, and thoſe of Filmer, Manwaring, and Sacheverell, or thoſe in ſupport of ſhip-money, he has more diſcernment than I have. In the mean time it is certain, that a government which had not ſettled its plan, and was not withal very fool-hardy in the execution of it, would never ſuffer ſuch ſuſpicious doctrines to come forth, avowedly under its pay and patronage.*

Hitherto I have avoided augmenting the impolicy of this war by the probability of its leading to an attack from our ancient and inveterate enemies, when we are leaſt prepared to reſiſt it. The ſubject is delicate and dangerous. But the conduct of our miniſters has ſurrounded us with difficulties. To ſpeak upon the ſubject is endangering, to be ſilent is betraying the public. Let the puniſh-

ment

* I appeal to the obſervation of the public, whether the object of adminiſtration has not been for ſome years to encourage the profligate and ſeduce the unwary, to explode all public ſpirit, and ridicule every ſacred form of our conſtitution. "If ever, therefore, a teſt for the trial of ſpirits can be neceſſary, it is now. If ever thoſe of liberty and faction ought to be diſtinguiſhed, it is now. If ever it was incumbent on the people, to know what the conſtitution is, and to unite in its defence, it is now."

ment be on the heads of thoſe who have wickedly brought us into this dangerous dilemma. In conſidering the policy of this war, it is abſolutely neceſſary that we ſhould contemplate this, as a conſequence of it, as probable as it is perilous. The object of the French, previous to the laſt war, and the cauſe of its commencement, was to deprive us of our American colonies. They have long ſeen that, as the ſureſt road to our ruin. The ſucceſs of the war on our ſide diſappointed them. But that very ſucceſs being due to the reſources derived from our colonies, is a proof to them that their policy was well founded, and is an additional incentive to them to wiſh us ſeparated. It was obvious to them, that, as the miniſter who conducted it declared, it was the American fund which carried us triumphantly through the laſt war. The peace-making miniſter who ſucceeded, gave his teſtimony alſo to the importance of thoſe colonies, ſince he made the poſſeſſion and extenſion of them, the main object of his negociations. Influenced then by their former policy, which intermediate events have contributed to confirm, the French muſt ſee, with infinite ſatisfaction, that we are doing the very thing they wiſh to do. In this ſituation, what conduct would the intereſt of France direct her to hold? It is too plain to be doubted, or miſtaken. It is their line to lull us into ſecurity, and induce us to perſevere by the moſt earneſt and flattering aſſurances of neutrality; while they are ſecretly aiding the colonies, or animating them with promiſes of ſupport. That they have done the firſt, we are told by the miniſters themſelves. They tell it like men who are completely the dupes of it; and we have the misfortune to perceive it has its full effect. That they ſecretly aſſiſt the colonies admits of no diſpute.

Mark then the progreſs of this buſineſs. When we are completely involved in this war, all our army and moſt of our navy engaged in a deſperate and deſtructive ſervice, at the diſtance of three thouſand miles, exhauſted of men and money; can you ſuppoſe ſuch folly in France as not to attack us? When not only our humiliation would be eaſy, but even our annihilation as a ſovereign ſtate, would not be difficult, can we ſo far confide in the folly or forbearance of our enemies as to hope they will let ſlip ſuch an opportunity of triumph to them, and ruin to us. But I ſhall be told that the Hanoverians and Heſſians will maintain our garriſons and defend our coaſts. Are we then reduced to this? It is thus, this Tory adminiſtration preſerves our dignity and honour! Is this our boaſted ſupremacy? We are to ſeek ſafety and protection from the little ſtates of Germany; and the imperial crown of Great Britain is to hide its diminiſhed luſtre under the electoral coronet. Ruſſia is to fight our battles in America; Hanover and Heſſe in Europe. The Britiſh ſword is again reſtored to the hand of Lord George Sackville, and lies diſhonoured in the ſcabbard. Such are the ſhameful, the dangerous, the diſhonourable conſequences of this wicked war. Well therefore might the addreſs from the city of London, to the electors of Great Britain ſay, "The proviſion that is making for the introduction of Hanoverian and Heſſian troops, inſtead of removing confirms our apprehenſions. Becauſe we cannot have any confidence in the protection of foreign mercena-

ries; and feel at once the ſhame and folly of that policy, which is to burthen us with taxes for the payment of foreign protectors, while our own brave troops are ſlaughtered in an unnatural, unneceſſary, inglorious conteſt." This is the ſterling language, theſe the manly ſentiments of true Engliſhmen. Our militia is another reſource. But will our militia defend Ireland? Will our militia guard our Weſt India iſlands? How much ſooner might a French army march to London, than the northern and weſtern militias could unite to oppoſe them?

It is therefore but too manifeſt, that we put every thing to the hazard in the proſecution of theſe pernicious meaſures againſt America. The uncertain conſequences of it are dreadful, the probable ones—fatal. In this reſpect, our folly exceeds the folly of Spain. She hazarded only her dominions in the Low Countries——we hazard our very exiſtence. Perhaps fate has decreed, that the conduct of Spain ſhall no longer ſtand as the groſſeſt act of infatuation in the hiſtory of nations.

When the miniſtry tells us they have been deceived, why do they not retract from the meaſures founded upon that miſinformation, and bring the authors of it to public juſtice? Can any thing be more alarming, than that, with their errors before them, and all the fatal conſequences of them, they ſhould perſevere in the paths of deception. As if the calamities we already ſuffer were not ſufficient; and the diſcovery of one error would warrant the commiſſion of an hundred. The falſhoods and abuſe againſt America, by which the public has been deceived and inflamed by his Majeſty's ſervants, both at home and abroad, are the infamous arts of baſe and degenerate men. The accuſations of ſcalping, maiming, and making war like ſavages, which General Gage and the court Gazette have ſounded in the ears of a too credulous people, have not been verified againſt the Provincials in a ſingle inſtance. Nay more—when Governor Johnſon, on the firſt day of parliament, offered to produce an officer at the bar of the Houſe of Commons, who was in the whole engagement at Concord, and taken priſoner, the miniſtry, conſcious of their iniquity, would not liſten to it. Nothing can be more painful than a minute detail of human depravity. I ſhall therefore content myſelf with laying before the reader one deciſive inſtance of the little credit due to the accuſations of General Gage againſt the people.

In the proclamation againſt the people of the Maſſachuſetts Bay, ſigned Thomas Gage, are theſe words—"And while indefatigable and ſhameleſs pains have been taken to obſtruct every appeal to the real intereſts of the people of America; the groſſeſt forgeries, calumnies, and abſurdities, that ever inſulted the human underſtanding, have been impoſed upon their credulity. The *preſs*, that diſtinguiſhed appendage of public liberty, and when fairly and impartially employed, its beſt ſupport, *has been invariably proſtituted to the moſt contrary purpoſes* *"

In anſwer to this dreadful cenſure, hear the ſame Governor Gage, in his letter to Lord Dartmouth, dated Boſton, January 18, 1775. "I con-

* Remembrancer, vol. I. pag. 91.

"I conceive the *preſs*, which has been *more open to government than uſual*, to have been of *great uſe*; through which channel, the conduct of the leaders has been laid open, and the abſurdities of the reſolves of the continental Congreſs expoſed in a maſterly manner, which has ſerved to lower that impreſſion of high importance, which the Congreſs has made upon the people's minds.*"

After this acknowledged abuſe of the preſs, in traducing that Congreſs which was the object of reverence and almoſt of adoration with the people, one would have ſuppoſed it was the other party that complained of its having been invariably proſtituted to the contrary purpoſes for which the preſs was inſtituted—the ſupport of public liberty. But it was neceſſary in that proclamation, as it has ſeemed in every government paper, both there and here, to rail againſt the people; and therefore this topic of abuſe was taken up without any regard to truth, or even to conſiſtency. The ſame ſpirit has inſpired General Gage's ſuperiors here, in a proclamation for ſuppreſſing rebellion and ſedition, it is ſaid—"there is reaſon to apprehend that ſuch rebellion hath been much promoted and encouraged by the traiterous correſpondence, counſels, and comfort of divers wicked and deſperate perſons within this realm." This charge was re-echoed, with the moſt ſanguinary comments, in all the court addreſſes. Yet when the miniſters were called upon in parliament to make good ſuch a charge, they acknowledged they had no evidence of any ſuch, and that it was a libel. And though they ſeized and examined all the papers of one popular gentleman, upon the pretence of a plot, the moſt ridiculous that ever diſgraced the contrivance of idiots, they have not been able to produce the leaſt tittle in proof of their declaration: a declaration ſo alarming, that out of reſpect both to the King and the people, it ought never to have been made, but upon unqueſtionable ground. It is as little for the reputation of government as for the quiet of the people, that accuſations of treaſon being abroad, ſhould be lightly made in ſo authentic an act as a royal proclamation. It is ſcattering firebrands and death with inconſiderate and very culpable levity. After ſuch conduct—after ſuch proof of a total want of regard to truth and juſtice, to the honour of the crown or peace of the people, both in his Majeſty's miniſters and generals, if they can preſerve any confidence or credit with the public, it is a public determined to be deceived.

There are two other acts of cruelty and want of good faith, on the part of General Gage, which have averted the minds of the Americans, and diminiſhed very much that high reverence they felt for Engliſh juſtice and humanity. As it is this opinion that formed the ſureſt ground of their confidence in our government, whatever lowers it, is much to be deplored. The tranſactions which have been already touched upon, are theſe;

When Lord Percy was retreating before the Provincials, after the affair at Concord, he met near Charles Town a gentleman of great influence. His Lordſhip aſked, if he thought the town would receive and ſhelter his troops. The gentleman ſaid, he believed they

* Parliamentary Regiſter, vol. I. p. 194.

would. "I muſt be aſſured of it," replied Lord Percy. The gentleman immediately went into the town, conſulted the ſelect men, and returned with this anſwer—"We will receive the ſoldiers, and bathe their wounds." Lord Percy with the troops marched in accordingly; and, as every one knows, they were there ſheltered from further purſuit and danger. In a very few weeks after ſo ſignal an act of friendſhip and humanity, this town was burnt to aſhes by the very ſame troops. I do not enter into the queſtion, whether it was an indiſpenſibly neceſſary manœuvre of war. That however has not been proved. I ſpeak only of the very unfavourable impreſſion an act ſo apparently horrible made upon the minds of the people. And indeed, if the burning that town, unguarded the wing of the Provincials, and expoſed them to be flanked, the victory was obtained by an accident, and he might have ſpared the inſult of boaſting the infinite ſuperiority in valour of the Britiſh troops. In any event, a man, who felt like a ſoldier, would not think it a feat to boaſt of, that a regular army had forced irregulars from intrenchments, thrown up in a few hours, undefended by cannon, and fired upon inceſſantly by the ſtanding batteries in Boſton, the floating batteries in the river, the ſhips, and the field artillery, to give full effect to which, he himſelf tells us, the army *advanced ſlowly, and halted frequently**.

Some time after this, the inhabitants in Boſton, urged by the utmoſt diſtreſs, deſired that they might quit the town with their effects. General Gage agreed they ſhould do ſo, provided they would deliver up their arms. But when they had reſigned their arms, he refuſed to let them carry out any of their effects, and clogged even their perſonal departure with great difficulties. Thus he got poſſeſſion of their arms, by a trick, and ſuch a breach of faith, as ought to render him infamous for ever†. I have my information of theſe facts from indiſputable authority; and ſuch as would appear at the bar of the Houſe of Commons, were there any inclination there to do that injured and inſulted people juſtice. To manifeſt ſuch an inclination, and to enquire into ſuch proceedings, would be the faireſt foundation for renewed confidence and reconcilement.

If there were little feeling in this country for the ſufferings of our fellow-ſubjects in America, if we did not condemn the readineſs with which the moſt outrageous abuſe of them is received and repeated, it would give a melancholy proof of the decay of that humanity and magnanimity which uſed to be the honourable diſtinction of Engliſhmen. Theſe miniſters would change not only the conſtitution, but the characteriſtic of this country. Indeed thoſe noble qualities muſt be extinguiſhed before the public voice will aid and approve ſo wicked a war. To trample upon the common rights of mankind, to carry famine, fire, and ſword into their country

* See the Gazette, July 25.

† In open violation of honour, in defiance of the obligation of treaties, which even ſavage nations eſteem ſacred, the Governor ordered the arms depoſited by agreement in ſafety for their owners, to be ſeized by a body of ſoldiers; detained the greateſt part of the inhabitants in the town and compelled the few, who were permitted to retire, to leave the moſt valuable effects behind." *Addreſs of the general congreſs.*

try becauſe they will not yield to laws, which if yielded to, would render them the moſt abject ſlaves on earth, to ſtir up Roman Catholics, ſavages, and even their negroes*, to embrue their hands in the blood of our fellow-ſubjects—theſe are acts of cruelty and rancour which no people, not loſt to every ſentiment of humanity and virtue, could hear without horror. What heart can be unmoved, or help calling down the vengeance of Heaven upon the inhuman miniſters of theſe meaſures, when we read of a large and populous place like Charles Town, ſet on fire in an inſtant, and conſumed to aſhes by the deſtructive engines of war—the defenceleſs town of Newport in Rhode Iſland, battered for a whole day by ſhips of war—the city of New-York fired upon by the Aſia man of war, every road filled with women and children flying into the fields for ſhelter, their venerable old governor promiſing them protection in vain—*crudelis ubique luctus—ubique pavor—et plurima mortis imago.* Theſe are the triumphs of our miniſters in this impious war. The conflagration of Britiſh towns—the deſolation of Britiſh provinces—gazettes of Britiſh blood, ſhed by Britiſh hands, and mutual liſts of our ſlaughtered fellow-ſubjects. The extremities to which that unhappy people have been driven, ſhould not harden our hearts againſt compaſſion for their ſufferings. Since, to ſpeak in the manly language of General Waſhington—"Let our opinion of the principle which actuates them, be what it may; they ſuppoſe they act from the nobleſt of all principles—a love of freedom, and of their country." Actuated by the ſame principle, our anceſtors vindicated from the hands of tyranny, thoſe rights and liberties which we now enjoy. It would therefore little become us to condemn the operation of the ſame principles in the Americans; or to rejoice at the calamities they ſuffer in aſſerting and maintaining them.

Among other means, which have been induſtriouſly employed by miniſterial men, to prejudice our minds againſt our fellow-ſubjects in America, they have been accuſed, both in and out of parliament, of withholding their juſt debts to the merchants of this country, and ſmuggling to the great injury of its commerce. What foundation there is in theſe charges, we may judge from the teſtimony of the American merchants. Thoſe of London declared laſt year, at the bar of the houſe of commons, that—they were in no apprehenſion about their debts, but from the meaſures taken by that houſe. The merchants of Briſtol have ſpoken preciſely on this ſubject in their laſt petition. —"We owe, ſay they, a teſtimony of juſtice to your colonies, which is, that in the midſt of the preſent diſtractions, we have received many unequivocal proofs, that our fellow-ſubjects, in that part of the world, are very far from having loſt their ancient affection and regard to their mother country, or departed from the principles of commercial

* Governor Littleton, who ſeconded the motion for an addreſs to his Majeſty, informed the Houſe, and ſeemed to do it with pleaſure, that the negroes in the ſouthern colonies were numerous, and ready to embrue their hands in the blood of their maſters. The reader will alſo ſee the ſame ſavage threats thrown out againſt the people of Virginia by Lord Dunmore, fully authenticated in the proceedings of the aſſembly of that colony. *Remembrancer*, vol. I. page 183.

cial and private juſtice. Notwithſtanding the ceſſation of the powers of government, throughout that vaſt continent, we have reaſon to think, judging by the imports into this city, and by our extenſive correſpondencies, that the commodities of American growth, enumerated by acts of parliament, have been as regularly brought to Great Britain, as in the moſt quiet times. We aſſure your majeſty that the trade of this port, and the *ſubſiſtence of a great part of your kingdom*, have depended very much on the *honourable*, and in this inſtance, *amicable behaviour of your American ſubjects*. We have, in this ſingle city received, within one year from the firſt of September, 1774, more than one million buſhels of wheat, to ſay nothing of the great quantity of other valuable commodities eſſential to our navigation and commerce. Theſe circumſtances we humbly beg leave, with the utmoſt deference, to ſubmit to your majeſty's conſideration, in order to ſhew, that whenever your royal clemency ſhall exert itſelf, in behalf of your colonies, the diſpoſitions, on their part, to peace and reconciliation, are by no means ſo unfavourable, as many perſons, from paſſion or miſinformation, may poſſibly ſuggeſt."

It is very well known that we were laſt year in danger of a famine, from which this copious ſupply of grain from America, relieved us. Mark then the difference between the conduct of the miniſters and of the Americans. While the miniſters were paſſing acts of parliament here, with the avowed intention of ſtarving the people there; and their Scotch ſupporters were lamenting that it was poſſible they might not be effectually ſtarved—the Americans were holding out to us the ſtaff of life, and furniſhing to our neceſſities that food, which the inclemency of the Heavens had denied. Can their be a ſtronger contraſt offered to a generous and enlightened people? Can there be any longer a doubt of the affection of our coloniſts towards us, of their being actuated by the moſt noble motives, in a manly maintenance of their liberties; while their enemies employ every wicked and inhuman means to ſubvert them? Certain, however, it is, that many of thoſe who have been ſaved from ruin and from famine, by their large remittances, are addreſſers for their deſtruction. Impelled, perhaps, by the ſame irreſiſtible court influence, which made General Howe undertake to be the butcher of that very people who had raiſed a monument to the memory of his brother.

The next crime, and that which they ſeem to think of the deepeſt die, is that the Americans are aiming at independency. They appear to imagine that the mere ſuſpicion of ſuch an enormous wickedneſs as the *deſire of independency*, is ſufficient to juſtify the laying their towns in aſhes, the devaſtation of their country, the ſlaughter of the inhabitants, and the confiſcation of their eſtates. When you aſk them for proofs—they have none: but, like Iago—for mere ſuſpicion in that ſort, they act as if for ſurety. I will however ſo far give them the advantage of the diſpute, as not only to wave requiring them to prove their charge, but to ſhew that they have not the leaſt colour of foundation for it.

When

When it ſhall appear that Governor Hutchinſon, envenomed as he is, could not make a direct charge of any ſuch intention, even againſt that part of America which is univerſally deemed the moſt diſpoſed to it, we may venture to pronounce it a groundleſs accuſation. In the year 1770 he writes thus——"I do not ſay that the contrary principle is yet eſtabliſhed, but there is a growing tendency to it." A tendency it ſeems to this high crime, ſomething like a treaſonable practice, ſo vague that it may fit any fact, was all of which he could then accuſe the people. Nay, in the very ſame letter he acknowledges that——"a great part of the colonies ſtill keep up my Lord Chatham's diſtinction." "If parliament, he continues, gives up taxation, let it aſſert legiſlation, and ſupport it *before this part of the people find out*, that it is the right of Engliſhmen to be governed by laws in general, as well as laws for taxation, to which they have given their conſent in perſon, or by their repreſentatives *." Every one knows that Lord Chatham's diſtinction preſerved the ſupremacy clear and entire; ſo that this is plainly a confeſſion on the part of Governor Hutchinſon, that moſt of the colonies ſtill acknowledged the ſupreme legiſlative authority. He even goes farther, and intimates, that his part of the people had not yet ſo much as diſcovered what his ſuperior ſagacity diſcerned, that it was eſſential to their liberties to aſſent to all the laws which bound them. Without this diſcovery, no one can ſuppoſe they could entertain any deſigns of independency.

In 1771 the governor tells us—"the faction in this province, againſt government, is dying, but dies hard." This looks ſtill leſs like a general deſign of independency. In another letter he informs us, "that the diſorders in America muſt be attributed to a cauſe, that is common to all the colonies, a looſe, falſe, and abſurd notion of the nature of government, which has been ſpread by deſigning, artful men, ſetting bounds to the ſupreme authority." The general object then of the colonies was confeſſedly to *limit*, not to *deſtroy*, the ſupreme authority; while Mr Hutchinſon's wiſh was to render it unlimited, that is—deſpotic. Again, we are told, that—"all this diſorder is owing to a general diſpoſition, not in the body of the people only, but in thoſe to whom the adminiſtration of government by the conſtitution is entruſted, to favour the meaſures of the merchants, as the only means—to preſerve the rights of the people, and to bring about the repeal of the revenue acts, and other acts called unconſtitutional." This is a full and complete acknowledgement that the object of their oppoſition was the revenue acts, and not the ſupremacy; that the oppoſition was univerſal; and that they hoped to effect this by no greater violence, than reſolving not to conſume the manufactures of this country, till their grievances were redreſſed. Yet General Gage has the injuſtice to ſay, in his letter to General Waſhington, that "the preſent criſis was long ſince projected on the part of America, and that they who influence their councils have views very diſtant from accommodation." It cannot, I think, have eſcaped the obſervation

* Remembrancer, p. 121.

ſervation of any reader, that this General Gage has conſtantly ſubſtituted accuſation for action; and added the calumny of inflammatory falſhoods to the perfidy of violated faith.

But to return to Governor Hutchinſon. So late as 1773, the deſign of independency ſeems, in his eſtimation, to have continued problematical.——" If, ſays he, we will be independent, why ſhould we not be threatened with what would be the conſequence of our being *actually* ſo, a reſtraint from all trade with the colonies, which acknowledge themſelves ſubjects." Still therefore it remained ſubject to an If; and when he ventures farther to hazard his utmoſt aſſertion, it is that——" if the ſupremacy had not been denied in England, few perſons would dared (have dared he means) to have denied it in America."

I may now ſubmit to the candid conſideration of every reader, how little colour there is for this charge, when this very Governor Hutchinſon, hoſtile and unprincipled as he is, avowing that every *machiavelian policy* ought to be uſed againſt that unhappy people, is yet unable, with all the malignity of his invention, to form a direct accuſation of any premeditated plan of independency. But I have ſtill farther evidence, that will force conviction upon this point. The letters which were laid before parliament, during the laſt ſeſſions, from all the governors in America, are reports upon this ſubject; and it is remarkable, that not one line of them imputes the diſturbances there, to a deſign or deſire of independency, or of deſtroying the ſupreme legiſlative authority of the Britiſh parliament. On the contrary, General Gage attributes them to a ſudden ſpirit of infatuation and madneſs, ariſing from the Boſton port bill, and the other acts which accompanied it. He writes to Lord Dartmouth that " the phrenzy had ſpread in a greater or leſs degree, through all—that he has learnt by an officer from Carolina, that the people of Charles Town were as *mad* as thoſe at Boſton."—Phrenzy and madneſs are not the diſpoſition in which men carry into execution, great and deep deſigns, deliberately formed. Theſe are paſſions which ariſe from violent cauſes, ſuch as condemning without hearing, and involving the unqueſtionably innocent with the ſuppoſed guilty, in a puniſhment ten thouſand fold greater than the offence, if that offence had been fairly tried, and fully proved.

Had the pious Lord, to whom thoſe letters were addreſſed, recollected what he muſt have read, he would have found the cauſe of theſe commotions in what the wiſdom of Solomon has told us—— " Verily oppreſſion maketh wiſe men——mad."

General Gage, in his letter to Lord Dartmouth, dated the 25th of September, 1774, ſays—" Your lordſhip will obſerve that the delegates complain of miſinformation, and deny a wiſh of independency."

The other governors are more explicit both as to the cauſes and the intentions of the popular commotions. Governor Colden writes in 1774 that—" almoſt the whole inhabitants of the counties wiſh for moderate meaſures—that a great majority of the province abhor the thoughts of a civil war, and deſire nothing ſo much as to have

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an end put to this unhappy diſpute with the mother country." Had ſuch been the wiſh of adminiſtration, they would not have failed to adopt the plan propoſed by the ſame governor in the following words—" could it be thought conſiſtent with the wiſdom of parliament, to lay aſide the right of raiſing money on the ſubjects in America, and in lieu thereof, that the ſeveral American aſſemblies ſhould grant and ſecure to the crown a ſufficient and permanent ſupply to pay all the officers and ordinary expences of government; they are of opinion this would be a ground-work upon which a happy reconciliation might be effected; the dependence of the colonies on Great Britain ſecured, government maintained, and this deſtructive conteſt amicably terminated*." The ſentiments of Governor Penn are to the ſame point, and worthy of the utmoſt attention—" I think it, however, an indiſpenſable duty to his majeſty to acquaint your lordſhip, that from the beſt intelligence I have been able to procure, the reſolution of oppoſing the Boſton-acts, and the parliamentary power of raiſing taxes in America, for the purpoſe of a revenue, is in a great meaſure univerſal throughout the colonies, and poſſeſſes all ranks and conditions of people. They perſuade themſelves there is a formed deſign to enſlave America; and though the act for regulating the government of Canada, does not immediately affect the other provinces, it is nevertheleſs held up as an irrefragable argument of that intention †.—They look upon the chaſtiſement of Boſton to be purpoſely rigorous, and held by way of intimidation to all America; and, in ſhort, that Boſton is ſuffering in the common cauſe. Their delinquency in deſtroying the Eaſt India company's tea, is loſt in the attention given to, what is here called, the too ſevere puniſhment of ſhutting up the port, altering the conſtitution, and making an act, as they term it, ſcreening the officers and ſoldiers for ſhedding American blood. The plan which ſeems to be univerſally adopted, is the procuring a general congreſs, in order to ſtate the rights, and repreſent the grievances of America, to the throne; and to agree upon ſuch meaſures as may be thought moſt likely to relieve Boſton—and reſtore harmony between Great Britain and the colonies ‡." With what face then can theſe miniſters ſay they were deceived; with what face can they charge a deſign of independency upon the colonies; when they are ſolemnly told, by one of the moſt reſpectable of their governors, from the fulleſt information, that one great object of their planning a general congreſs was—to reſtore harmony between the two countries? Who is it then, that has rendered all their endeavours abortive?——The miniſtry. What is it that has exaſperated, inſtead of healing; and in the place of reſtoring harmony, has inflamed popular diſcontent, into civil war?——inhuman acts of legiſlative authority, inexorable oppreſſion, redreſs refuſed, grievances exaſperated, hoſtile fleets, and deſolating armies. Governor Eden's information, from the province of Maryland, is that—" the ſpirit of reſiſtance againſt the tea-act, or any mode of internal taxation, is as ſtrong and univerſal there as ever. He firmly believes they will undergo any hard-

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* Parliamentary Regiſter, page 75. † Parliamentary Regiſter, page 83.
‡ Ibid. page 82.

ſhips ſooner than acknowledge a right in the Britiſh parliament, in *that particular* *." Of much the ſame nature is Governor Bull's account, touching the ſituation of South Carolina. " Their own apprehenſions and thoughts, ſays he, confirmed by the reſolutions and correſpondence from other colonies, have raiſed an univerſal ſpirit of jealouſy againſt Great Britain, and of unanimity towards each other—the general claim is exemption from taxation but by their own repreſentatives, as co-eſſential with the Britiſh, their own conſtitution †."

Thus the intelligence from different governors, in a variety of provinces, co-operates to exclude any colourable charge of a deſign to deny the ſupreme legiſlative authority. They all agree, that the raiſing money upon them by an aſſembly, in which they are not repreſented, joined with the ſeverity and injuſtice of the acts againſt the Maſſachuſett's Bay, was the cauſe of their diſcontent——that the diſcontent was univerſal——that the object of their oppoſition was to obtain redreſs of thoſe grievances, and regain their former harmony.

The proceedings of the firſt general congreſs, were conformable to the intention with which Governor Penn declares it was planned. They ſay in their petition to the throne, " We aſk but for peace, liberty, and ſafety. We wiſh not a diminution of the prerogative, nor do we ſolicit the grant of any new right in our favour. Your royal authority over us, and our connection with Great Britain, we ſhall always carefully and zealouſly endeavour to ſupport and maintain."

After the moſt contemptuous rejection of this petition, after every inſidious attempt to diſunite and deſtroy them, after the addition of new and general grievances to old and particular ones——we find the late congreſs unmoved in their reſolution of keeping within the former line of their demands, and preventing if poſſible, the ſeparation of the two countries. In their addreſs to the inhabitants of Great Britain, ſo late as July the 8th, 1775, they ſay, " We chearfully conſent to the operation of ſuch acts of the Britiſh parliament, as ſhall be reſtrained to the regulation of our external commerce, for the purpoſe of ſecuring the commercial advantages of the whole empire to the mother country—excluding every idea of taxation, internal or external, for raiſing a revenue on the ſubject in America without their conſent."—So in their laſt petition, they declare themſelves " ready and willing at all times, as they have ever been, with their lives and fortunes, to aſſert and maintain the rights and intereſts of his majeſty and of the mother country. That they do not requeſt ſuch a conciliation as may, in any degree, be inconſiſtent with her dignity or her welfare,"—and, in fine, " that they hope for an opportunity of evincing (conſiſtent with the preſervation of their liberty) the ſincerity of their profeſſions, by every teſtimony of devotion becoming the moſt dutiful ſubjects, and the moſt affectionate coloniſts."

Thus the colonies have conſtantly and clearly defined the limit of their rights, and the line of their ſubordination. They have moſt explicitly ſtated their grievances, moſt earneſtly implored redreſs;

* Parliamentary Regiſter, page 103. † Ibid. page 87.

dreſs; and avowed their determination to ſubmit to the ſupreme external controul of parliament, but not to its internal authority. It is impoſſible that any conduct can be more open and undiſguiſed. It is impoſſible that any conduct can leſs deſerve the cenſure thrown upon them in a late ſpeech, that——" they meant only to amuſe by vague expreſſions of attachment to the parent ſtate, and the ſtrongeſt proteſtations of loyalty to the king, while they were preparing for a general revolt——and that the rebellious war now levied, is manifeſtly carried on for the purpoſe of eſtabliſhing an independent empire."—I have already proved, from the teſtimony of the American governors, how little foundation there is in fact for ſuch imputations. The impolicy of them is manifeſt. Can there be a ſurer way imagined of rendering ſubjects diſloyal, than treating their ſtrongeſt proteſtations of loyalty as falſe and treacherous? Is not the continually holding up to them the flattering idea of an independent empire, drawing their attention and deſire towards it? And when theſe miniſters manifeſtly plan their coercive conduct upon that ſuppoſition they themſelves make independency neceſſarily the ſubject of the conteſt. But to do them juſtice, this is not the ſubject of their conſideration. They have but one object in view. It is to bring the queſtion to the deciſion of force, in which they think themſelves decidedly ſuperior. They flatter themſelves the conqueſt of the colonies will enſue, and this will ſubſtitute the government of the ſword, for that of the law. How ſoon they would transfer that government to this country, were they ſuffered to ſucceed in their wicked purpoſe there, is matter of the moſt ſerious and alarming conſideration. That they will force the colonies to be totally independent, or totally enſlaved, is certain. The rejecting their laſt petition, the proclaiming them in rebellion, the loading them with invectives from the throne, and the commencement of the enſuing campaign, will effectually cut aſunder every tie that united us, and put them away for ever. There remain but a few months, for the intervention of juſtice, wiſdom, and moderation, to arreſt this fatal event.

Many have been the plans propoſed, to effect this moſt deſirable purpoſe. May I be permitted to offer mine? It ſhould be meaſured by the magnanimity of the people, and not by the meanneſs of the miniſters. The ſervants of Lord Bute will ever appear to me mean, in proportion to the elevation of their birth, and the ſplendor of their race. Lord Chatham, among the many wiſe things he has ſaid, never advanced one of more ſterling wiſdom than that, we muſt repeal the animoſity we have occaſioned. This intention will be the baſis of my plan. It will be a plan to repeal not only the obnoxious acts, but the animoſity thoſe acts have produced. There is a paſſage in the laſt humble petition from the congreſs to the throne, which for its wiſdom and humanity deſerves our moſt ſerious conſideration.—— " Knowing," ſay they, to what violent reſentment and incurable animoſities civil diſcords are apt to exaſperate and inflame the contending parties—we think ourſelves required, by indiſpenſable obligations to Almighty God, to your majeſty, to our fellow ſubjects and ourſelves, immediately to uſe all the means in our power, not incom-

patible with our ſafety, for ſtopping the further effuſion of blood, and for averting the impending calamities that threaten the Britiſh empire."

Let *us* then, equally impreſſed with the ſolemnity of the ſubject, equally apprized of what muſt be the fatal conſequences of a continuance of theſe meaſures, approach the temple of peace with the ſame wiſe, humane, and hallowed intentions.

The ſpirit that has produced theſe diſturbances, was narrow, tyrannical, and extortionate. The ſpirit that heals them muſt be liberal, juſt and generous. Such a ſpirit will not only be conciliating, but commanding. It will command, as freemen ought to be commanded, by its intrinſic luſtre and worth, by the reſpect, attachment, confidence, and affection which ſuch genuine worth procures.

Founded upon ſuch ſentiments, which I am perſuaded will be productive of the moſt real benefits, my propoſition is ſhortly this—— Repeal all the laws, or parts of laws, of which they have complained. Recal your fleets and armies. Paſs an act of oblivion. Let his majeſty be graciouſly pleaſed to ſend reſpectable governors to his colonies, with inſtructions to call aſſemblies immediately; deſire of them to reviſe the ſtate of their trade, and ſhew what reſtraints may be removed with profit to them, and without loſs to us. If upon due reviſion here, this ſhould appear to be fact, let thoſe reſtraints be removed accordingly. Then let requiſitions be made for the grant of ſuch ſupplies from them, as may contribute to the payment of the national debt.

This is my plan. By the firſt part of it, you will regain their confidence and affection—by the ſecond, you will open new ſources for their induſtry and enterprize to acquire wealth—by the laſt, you will furniſh them the wiſhed for opportunity of evincing the ſincerity of their profeſſions, by contributing liberally and largely, out of their acquiſitions, to the neceſſities of the mother country. I have ſtipulated no declarations on our ſide—no teſts on theirs. Every thing is left to the ſilent operation of that confidence and affection which I am ſure a liberal and generous conduct will inſpire. If we are incapable of conceiving this, or of truſting to it; all I can ſay is, that we are incapable of governing ſuch a body of freemen. They muſt be cultivated, not coerced. From conciliation we may expect every thing——from compulſion nothing. Till we learn this leſſon—— till we remember that free ſpirits may be led, but cannot be driven; we ſhall never know the true art of governing. Lord Bolingbroke obſerves, with his uſual ſagacity, that—" the ſpirit of liberty will give greater ſtrength, as well as procure greater eaſe to government, than any abſolute monarch can hope to find in the moſt abject ſpirit which principles of blind ſubmiſſion and paſſive obedience are capable of inſpiring." We have tried what force can do. Have we any reaſon to rejoice in the experiment? Let us try free-will. There is no middle way. An accommodation formed upon negotiation and ſtipulations, will be precarious and ineffectual. Stipulations are always felt as fetters, which free minds are for ever endeavouring to throw off. A gratuitous, unconditional redreſs, is becoming the

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dignity of a commanding people. When fair and honourable means have failed, it will be time enough to renew the hitherto unavailing experiment of force.

"But what, says the financier, is peace to us without money? Your plan gives us no revenue. No! but it does—for it secures to the subject, the power of refusal; the first of all revenues. Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you 152,750*l.* 11*s*, 2½*d.* no, nor any other paltry limited sum. But it gives the strong box itself, the fund, the bank, from whence only revenues can arise among a people sensible of freedom: *posita luditur arca*. Cannot you in England; cannot you at this time of day; cannot you, an house of commons, trust to the principle which has raised so mighty a revenue, and accumulated a debt of near one hundred and forty millions in this country?

"Is this principle to be true in England, and false every where else? Is it not true in Ireland? Has it not hitherto been true in the colonies? Why should you presume that, in any country, a body duly constituted for any function, will neglect to perform its duty, and abdicate its trust? Such a presumption would go against all goverment in all modes. But, in truth, this dread of penury of supply, from a free assembly, has no foundation in nature. For first observe, that besides the desire which all men have naturally of supporting the honour of their own government; that sense of dignity, and that security to property, which ever attends freedom, has a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or climate where experience has not uniformly proved, that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue, than could be squeezed from the dry husks of oppressed indigence, by the straining of all the political machinery in the world *."

Let us then change this new system of statutes, regulations, and coertion, productive only of dissentions, ruinous expence, and blood; for the energy of mild and generous government, under which our union was firm and uninterupted, our commerce prosperous, our arms triumphant, such copious supplies were granted, such strenuous exertions made, as procured them the repeated approbation of his majesty, of the late king, and of both houses of parliament. Can it but wound every feeling of dignity about us, that instead of this conduct, honourable for us and happy for them, not a session has passed away, since the commencement of this new system, without the re-iteration of such ungracious words, from the throne, from parliament, and from individuals in high office, as——cowards——ungrateful——perfidious——seditious——rebellious people. Such resentful and injurious words, followed by acts full of equal injury and resentment, have at length produced the resistance which we call rebellion. The tory

* Mr Burke's second speech.

tory doctrines of paſſive obedience and non-reſiſtance are renewed upon this ſubject. My thoughts upon it are within a very narrow compaſs.

The conſtitutional right of reſiſtance, carried into execution, effected the glorious revolution, and placed the crown upon the anceſtors of our preſent moſt gracious ſovereign, who wears it only on the authority of that right. *When* that right of reſiſtance is to be exerciſed, muſt be determined by the community which is affected by the grievance they think proper to reſiſt. The revolution was founded on the ſenſe of Great Britain, without conſulting the colonies; becauſe Great Britain was more immediately preſſed and endangered by the grievances they oppoſed. The preſent oppoſition in the colonies is founded upon their ſenſe of grievances, particularly affecting them. It is, I confeſs, therefore, impoſſible for me to comprehend, how the one can be juſtly called a conſtitutional reſiſtance, and the other an unnatural rebellion.

The colonies have been accuſed of not intending the conciliation they implore; becauſe while they hold the olive branch in one hand, they brandiſh the drawn ſword in the other. Their humble petition to the throne was accompanied, it is ſaid, with an addreſs to the people, and a declaration of their reaſons for taking up arms. While they ſue for peace, they are preparing for war. All this, I believe, is perfectly true; and yet when fairly eſtimated, it argues not the leaſt inſincerity. Peace or war is in the arbitration of the miniſtry; not of them. The miniſtry are invading—they are defending their country. Self-defence therefore obliges them to prepare for war, till they are ſure of peace. But there is no ſuch obligation on the miniſtry. They may deſiſt from preparations for war, the moment they are reſolved upon peace. Their military arrangements and preparations carry conviction to all the world that they mean war, and war only. To act thus, with pacific intentions, would be an abſurdity too great even for them to commit. In this ſituation of things, they will neither cover their own perfidy, by profeſſions of honeſty; nor injure others, by their unjuſt accuſations. Compare what they have put into his Majeſty's mouth this year, with what they told us, through the ſame conveyance, laſt year, and judge candidly. ——"The authors and promoters of this deſperate conſpiracy, have, in the conduct of it, derived great advantage from the difference of our intentions and theirs. They meant only to amuſe by vague expreſſions of attachment to the parent ſtate, and the ſtrongeſt proteſtations of loyalty to me, whilſt they were preparing for a general revolt. On our part, though it was declared in your laſt ſeſſion, that a rebellion exiſted within the province of the Maſſachuſett's Bay, yet even that province we wiſhed rather to reclaim than to ſubdue. The reſolutions of Parliament breathed a ſpirit of moderation and forbearance."

The following meſſage from his Majeſty on the 10th of February, 1775, to the Houſe of Commons, will ſhew by what kind of a reclaiming ſpirit, his miniſters were animated——"His Majeſty being determined, in conſequence of the addreſs of both Houſes of Parliament."—

ment"—breathing a ſpirit of moderation and forbearance—to—what? withdraw the army of irritation and reſtore peace; no—— "to take the moſt ſpeedy and *effectual* meaſures for ſupporting the juſt rights of his crown and the two Houſes of Parliament, thinks proper to acquaint this Houſe, that ſome addition to his forces, by by ſea and land, will be neceſſary for that purpoſe"—the purpoſe, we preſume of moderation and forbearance—"and doubts not but his faithful Commons, on whoſe zeal and affection"——their penſions, places, &c. being of no influence——"he *entirely* relies, will enable him to make ſuch augmentation to his forces, as on the preſent occaſion ſhall be thought proper."

This meſſage is pregnant with proof not only with what ſincerity the miniſters intended to reclaim and not to ſubdue, but that they believed the ſame candid ſpirit of moderation and forbearance inſpired the two Houſes. Actuated by this ſpirit, they ſent the fineſt army that ever went from England, double officered, which never was known before, with three of their moſt able generals, the beſt train of artillery that this country, or perhaps the world ever ſaw, and ſeventy ſail of ſhips to carry the olive branch to the rebellious Americans. Never was a ſpirit of forbearance ſo happily diſplayed before; never were pacific intentions arrayed in ſuch military ſplendour. To complete this forbearing plan, orders were ſent to General Gage to march out and begin the reduction of New England; which he immediately, tho' not very auſpiciouſly, commenced.

The two houſes of parliament, gave as unequivocal proofs of their diſpoſition. They voted that their was a rebellion in the Maſſachuſett's Bay, abetted by other colonies, they offered their lives and fortunes to ſubdue it, they granted all the force that was aſked, they paſſed the acts for prohibiting the trade of all the colonies, preventing them from catching fiſh, and ſtarving them into ſubmiſſion. Every creature, both in and out of parliament, from the prime miniſter to the loweſt city runner for adminiſtration, was loudly boaſtful of the deciſive meaſures determined upon by government, the vigour of which they affirmed would bring the colonies to immediate ſubmiſſion. Yet now when their boaſtings have turned out vain, when confuſion, defeat, and diſappointment have attended all their operations, they plead a ſpirit of forbearance and moderation as having marred their meaſures. Untaught by experience, unmoved by the ruinous conſequences, they perſevere in oppreſſion which they cannot juſtify, and are plunging this unhappy country deeper and deeper, into difficulties and diſtreſſes from which no human wiſdom or virtue will be able to redeem her. Such is the dark and melancholy proſpect of the preſent times.

I have thus delivered my thoughts upon this momentous ſubject. Out of the fulneſs of the heart, the tongue ſpeaketh. I have much indulgence to aſk for the preſent, as well as many thanks to return for the partiality with which my former appeal was received.

I have endeavoured to shew my gratitude, by faithfully pointing out the folly that prompts, and the ruin that awaits, the prosecution of this unnatural war. But I am afraid the die is thrown, and we must stand the hazard. I am afraid that good men have nothing now to do, but to weep over, what they cannot prevent——— the ruin of their country.

O patria! O divum domus Ilium! & inclyta bello
Mania Dardanidum!

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Quis furor iste novus? quo nunc, quo tenditis—
Heu! miseri cives? non Hostem, inimicaque castra,
——— Vestras Spes uritis. VIRG.

2 JY 61

By RICHARD PRICE, D. D. F. R. S.